

SENATE

THURSDAY, JANUARY 18, 1940

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

The Lord is my shepherd; I shall not want. He maketh me to lie down in green pastures: He leadeth me beside the still waters. He restoreth my soul: He leadeth me in the paths of righteousness for His name's sake. Yea, though I walk through the valley of the shadow of death, I will fear no evil, for Thou art with me; Thy rod and Thy staff they comfort me.

O Father of life and love, into Thy holy keeping we commend the soul of our beloved brother who at this moment lies at the very brink of life eternal. May he know by Thine own indwelling that, though he pass through the waters, Thou wilt be with him, and through the rivers, they shall not overflow him; though he walk through the fire he shall not be burned; neither shall the flame kindle upon him, for Thou art the Lord his God, the Holy One of Israel, his Saviour.

Forgive whatever may be amiss in his life so devoted to the welfare of his Nation; and may the soothing, tender, loving care of our Father be his portion, so that he may wake in Thy likeness and when he beholdeth it he shall be satisfied and hear Thy words of commendation, Well done, good and faithful servant; thou hast been faithful over a few things; I will make thee ruler over many things; enter thou into the joy of thy Lord.

We ask it in the name and for the sake of Him who has ever been our access to the Father, Jesus Christ, Thy Son, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 16, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 1554) to provide that the district judge for the western district of Washington, authorized to be appointed under the act of May 31, 1938, shall be a district judge for the eastern and western districts of Washington, and it was signed by the Vice President.

READING OF WASHINGTON'S FAREWELL ADDRESS

The VICE PRESIDENT designated the junior Senator from Nebraska [Mr. BURKE] to read Washington's Farewell Address on the 22d of February 1940, pursuant to order of the Senate.

LEASING OF RESTRICTED ALLOTMENTS OF DECEASED INDIANS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to provide for the leasing of restricted allotments of deceased Indians in certain circumstances, and for other purposes, which, with the accompanying paper, was referred to the Committee on Indian Affairs.

BOUNDARIES OF CEDAR BREAKS NATIONAL MONUMENT AND DIXIE NATIONAL FOREST, UTAH

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to adjust the boundaries of the Cedar Breaks National Monument and the Dixie National Forest, in the State of Utah, and for other purposes, which, with the accompanying papers, was referred to the Committee on Public Lands and Surveys.

DRAINAGE OF PUBLIC LANDS IN ARKANSAS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation amending the act of January 17, 1920 (41 Stat. 392), authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation, insofar as said act affects certain public lands in Big Lake Migratory Bird Refuge, Mississippi County, lying within the Little River Floodway, known as Big Lake, which, with the accompanying papers, was referred to the Committee on Public Lands and Surveys.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a letter in the nature of a memorial from Lodge No. 573, International Association of Machinists, of Detroit, Mich., remonstrating against the alleged selling of \$40 automatic rifles to Finland for \$1, and also the proposed \$60,000,000 loan to the Republic of Finland, which was referred to the Committee on Banking and Currency.

He also laid before the Senate a telegram in the nature of a petition from the United Order of Sisters Grade Aguilar, No. 20, of Brooklyn, N. Y., praying for the enactment of pending antilynching legislation, which was referred to the Committee on the Judiciary.

He also laid before the Senate resolutions adopted by the Holy Name Society of St. Thomas Apostle Church, of Woodhaven, N. Y.; the executive committee of the American Legion, Department of the District of Columbia, and the United Spanish War Veterans (national headquarters, Washington, D. C.), favoring continuance of the activities of the so-called Dies committee investigating un-American activities and the appropriation of sufficient funds therefor, which were referred to the Committee on the Judiciary.

He also laid before the Senate a resolution of the Floydada National Farm Loan Association, of Floydada, Tex., favoring restoration of the Farm Credit Administration to the status of an independent bureau, and also that the operations of the Federal land banks and other units of the Administration be placed under the supervision of a bipartisan board appointed by the President for fixed terms, with the advice and consent of the Senate, which was referred to the Select Committee on Government Organization.

He also laid before the Senate a letter in the nature of a petition from José Ramón Fernández and Santiago Collazo, president and secretary, respectively, of the Parent-Teacher Association of Collores, Juana Diaz, P. R., praying for the enactment of legislation providing for the continuance of rural electrification in Puerto Rico, which was referred to the Committee on Territories and Insular Affairs.

Mr. CAPPER presented a letter in the nature of a petition from the secretary of the Ministerial Alliance, Coffeyville, Kans., praying for the enactment of Senate bill 517, to prohibit the advertising of alcoholic beverages over the radio, which was ordered to lie on the table.

Mr. TYDINGS presented a resolution adopted by the Young Men's League of Guam, favoring the prompt enactment of legislation granting civil rights and bettering the political status of the people of Guam, which was referred to the Committee on Territories and Insular Affairs.

Mr. VANDENBERG presented a petition of sundry citizens of Detroit, Mich., praying that the domestic problems of the United States be taken care of adequately and that the United States keep out of foreign wars, which was referred to the Committee on Foreign Relations.

TOWNSEND RECOVERY PLAN—PETITION

Mr. BILBO. I present a petition signed by about 500 citizens of Hattiesburg, Miss., and vicinity, in behalf of old-age pensions. I ask that the body of the petition be printed in the RECORD and that the petition itself be referred to the Committee on Finance.

There being no objection, the petition was referred to the Committee on Finance, and the body thereof was ordered to be printed in the RECORD, as follows:

Whereas a depression has been on the people of the United States for several years, and Congress has tried everything that they believed might restore confidence amongst the business people of the country and bring about a recovery in business and thereby get the people employed; and

Whereas under the administration of Mr. Hoover all laws were made in the interest of the big-moneyed interest, with the idea that the moneyed interest would employ the people and thereby restore prosperity; and

Whereas that idea failed and the depression became worse and millions of the people were thrown out of employment, and bread lines and other charitable means had to be provided to try to care for the millions of unemployed people, and people lost their homes by the millions and the property of the country fell into the hands of a few big speculators; and

Whereas millions of people who had never voted a Democratic ticket voted for President Roosevelt and elected him by the biggest majority ever given a candidate, and reelected at the end of 4 years because of his New Deal ideas of employing the people; and, notwithstanding that it has provided enough to sustain life, it has not relieved the depression and millions of people are still out of employment, especially the elderly people, who are in great numbers suffering for the necessities of life in a land of plenty and to spare, and our Government indebtedness has passed the forty-billion mark; and

Whereas the Townsend recovery plan will not increase the public debt, but, on the other hand, if put into effect, will go further toward retrenchment in the expenditure of public funds, and will finally result in balancing the Budget, by giving the 10,000,000 people of the United States a buying power who have reached the age of 60 years or over, who at the present time have no buying power, or very little buying power, and will result in buying the products of the country, and thereby starting the wheels of commerce going, which will result in the employment of the people under the age of 60 years, thereby restoring confidence in business and putting the balance of the people to work and thereby relieve the depression; and

Therefore, we, the undersigned voters of Hattiesburg, Miss., and vicinity, do hereby petition our two United States Senators—Senators HARRISON and BLISS—and our Member of Congress—Mr. COLMER—to work for and vote for the Townsend recovery plan; and the secretary of the Townsend plan No. 1, of Hattiesburg, Miss., is hereby authorized to send each of our United States Senators and Member of Congress a copy of these resolutions, with instructions to have it placed in the CONGRESSIONAL RECORD, and do what they can to have the Townsend recovery plan introduced and enacted into law.

PROPOSED LOAN TO FINLAND

Mr. KING. Under the head of petitions I have a telegram from Hon. Paul H. Hunt, former member of the legislature of my State, which I should like to have inserted in the RECORD at this point and appropriately referred.

There being no objection, the telegram was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

SALT LAKE CITY, UTAH, January 17, 1940.

Senator WILLIAM H. KING,
Washington, D. C.:

The overwhelming opinion amongst the employees of the Park Utah mine is that Congress and the President should extend a most liberal loan to Finland without strings attached. The opinion is that neutrality is not involved in the undeclared aggression of Russia on Finland; and even if it were, it would make no difference.

The most despicable policy to pursue is to use Finland in her distress as a dumping ground for our surplus commodities. Who is there if his son asked for bread would he give him a stone?

PAUL H. HUNT.

TRADE RELATIONS WITH JAPAN

Mr. CAPPER. Mr. President, I desire to read to the Senate from a letter I have just received from J. G. Stewart, a good friend of mine in North Topeka, Kans. I may add that this is merely one of scores, indeed, hundreds, of similar communications that have come to me in the past months on this subject. Mr. Stewart writes me:

As the time draws near that the trade treaty between the United States and Japan expires, no doubt you will receive many letters protesting against its renewal. I wish to join in the protest.

In an article in the Christian Statesman under the caption "Let Us Stop Fighting China," Dr. William Judd, returned missionary from China, is quoted on the ruthlessness and savagery of the Japanese in waging this unprovoked war of aggression in China. He said that in 1937 the United States furnished 54 percent of Japan's war supplies; in 1938, 56 percent; and now that Britain and France are at war and using their own war supplies instead of selling to Japan, we must be furnishing 80 percent of Japan's war supplies.

Then Mr. Stewart adds a conclusion, one held by many people in the United States, especially those who keep in touch with Far Eastern affairs, that if the United States would completely shut off all supplies of arms, ammunition, machinery, scrap iron, copper, oil, and war supplies of every kind to Japan she would soon have to stop fighting China.

Mr. President, I find myself very sympathetic with the position taken by Mr. Stewart and millions of our people who abhor the Japanese aggression in China. I am in favor of shutting off the sale of war supplies to Japan and to every other nation. My position is perfectly consistent. I voted for the arms-embargo provisions of the original Neutrality Act; I voted against repeal of the arms embargo. I have been for strict neutrality as to all foreign wars, and shall continue to maintain that position.

Much as I sympathize with the plight of Finland and the Finnish people, much as I want to see them win, I, myself, feel compelled to oppose war loans to the gallant people of that little nation, because I do not want this Nation to engage in the business of war; nor do I want it to take steps that I sincerely believe would lead finally to our own involvement in war.

But to me it is the height of inconsistency to oppose war loans to Finland and at the same time furnish, at a profit to some of our business interests, war materials to Japan.

I am not advocating that we go to war against Japan in behalf of China, but I do say, with all the emphasis at my command, that we ought to stop fighting China with the war supplies we furnish Japan.

Mr. President, I also ask unanimous consent to have printed as a part of my remarks a communication from the Marguerite Missionary Society of the Westminster Presbyterian Church of Topeka, Kans., urging restriction of sale of war supplies to Japan, and that the United States use its influence "for the restoration of order and justice for both nations, China and Japan, where not only commercial but humanitarian and Christian interests are hindered by the prolonged warfare."

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

TOPEKA, KANS., January 10, 1940.

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR CAPPER: The women of the Marguerite Missionary Society of the Westminster Presbyterian Church, Topeka, Kans., are hoping that Congress, at its present session, may take action on relations with the Far East that will further restrict our United States trade in war materials which make it possible for Japan to continue its attacks on the Chinese people. We are aware that the "moral embargo" against such traffic has not been fully effective.

We know your efforts for world peace, and we are confident that you will use your strong influence as a long-time Member of the Senate for the restoration of order and justice for both nations, China and Japan, where not only commercial but humanitarian and Christian interests are hindered by the prolonged warfare.

Respectfully yours,

Mrs. C. O. GWYN, President.
Miss SUSIE C. STAPLES, Secretary.

REPORTS OF COMMITTEES

Mr. CONNALLY, from the Committee on Foreign Relations, to which was referred the bill (H. R. 6124) giving the consent of Congress to the addition of lands to the State of Texas and ceding jurisdiction to the State of Texas over certain parcels or tracts of land heretofore acquired by the United States of America from the United Mexican States, reported it without amendment and submitted a report (No. 1160) thereon.

Mr. SCHWARTZ, from the Committee on Military Affairs, to which was referred the bill (S. 3035) authorizing certain appointments to the United States Military Academy to fill cadetships heretofore created, reported it without amendment and submitted a report (No. 1161) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Oklahoma:

S. 3137. A bill to ratify a lease entered into by certain Mission Indians of California; to the Committee on Indian Affairs.

S. 3138. A bill to amend the Pension Act of 1930 (Public, No. 299, 71st Cong.); to the Committee on Pensions.

By Mr. NEELY:

S. 3139. A bill granting an increase of pension to Nancy E. Allen; to the Committee on Pensions.

(Mr. DAVIS introduced Senate bill 3140, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. GILLETTE:

S. 3141. A bill to amend the Emergency Relief Appropriation Act of 1939 to authorize the use of relief funds for the construction of certain non-Federal buildings for which appropriations were made by State legislatures on or prior to July 1, 1939; to the Committee on Appropriations.

S. 3142. A bill to provide for the payment of pensions to widows and minor children of persons who served 70 or more days in the Army, Navy, or Marine Corps of the United States during the War with Spain, the Philippine Insurrection, or the China relief expedition; to the Committee on Pensions.

By Mr. WHEELER:

S. 3143. A bill for the relief of Chandler V. Jensen; to the Committee on Claims.

By Mr. RUSSELL:

S. 3144. A bill for the relief of J. B. Lee, Katharine Weeks, and Wiley L. Hutto and Lee R. Burden; to the Committee on Claims.

(Mr. RUSSELL also introduced Senate bill 3145, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

By Mr. PITTMAN:

S. 3146. A bill relating to the citizenship of William Lawrence Tan; to the Committee on Immigration.

By Mr. MEAD:

S. 3147. A bill to fix the compensation of substitute employees in the Postal Service, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. SHEPPARD:

S. 3148. A bill for the relief of Thomas L. Boren; and
S. 3149. A bill to amend the Emergency Officers' Retirement Act; to the Committee on Finance.

S. 3150. A bill to authorize certain officers of the Army of the United States to accept such medals, orders, and decorations as have been tendered them by foreign governments; to the Committee on Military Affairs.

S. 3151. A bill for the relief of Douglas C. Pyle; and
S. 3152. A bill for the relief of Robert O. Blackmon (with an accompanying paper); to the Committee on Naval Affairs.

By Mr. BILBO:

S. 3153. A bill to amend an act entitled "An act authorizing the Director of the Census to collect and publish statistics of cottonseed and cottonseed products, and for other purposes," approved August 7, 1916; to the Committee on Commerce.

(Mr. WILEY introduced Senate bill 3154, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. TYDINGS:

S. 3155. A bill for the relief of Joseph J. Machovec; to the Committee on Pensions.

S. 3156. A bill to provide for the admission of certain children to the schools of the District of Columbia without payment of tuition; to the Committee on the District of Columbia.

Mr. JOHNSON of California. On behalf of the junior Senator from California [Mr. DOWNEY] and myself, I introduce a joint resolution and ask that it be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. The joint resolution will be received and referred as requested by the Senator from California.

By Mr. JOHNSON of California (for himself and Mr. DOWNEY):

S. J. Res. 200. Joint resolution to provide for participation of the United States in the Golden Gate International Expo-

sition at San Francisco in 1940, to continue the powers and duties of the United States Golden Gate International Exposition Commission, and for other purposes; to the Committee on Foreign Relations.

CONGRESSIONAL BUDGET AGENCY

Mr. DAVIS. I introduce a bill to establish a Budget Service as an agency of the Congress and to transfer to such service certain functions now performed by the Budget Bureau. I ask that the bill be referred to the Committee on Finance, and that the bill, together with a statement relative thereto, may be printed in the RECORD.

The VICE PRESIDENT. Without objection, the bill will be received, appropriately referred, and printed in the RECORD, and the statement of the Senator from Pennsylvania will also be printed in the RECORD in connection therewith.

The bill (S. 3140) to establish a Budget Service as an agency of the Congress, to transfer to such Service certain functions now performed by the Budget Bureau, and for other purposes, was read twice by its title and referred to the Committee on Finance.

The statement presented by Mr. DAVIS in connection with the bill is as follows:

One of the great needs of our American form of government is for Congress to be better informed of how the laws it has enacted are administered. Except by the use of investigating congressional committees Congress is informed of the activities of departments by their yearly reports. While some of them are quite comprehensive, many of them can be understood only by those who compiled them. And since the reports are drawn up by the agencies themselves, it is not a difficult task to arrange the words and statistics so as to cover any deficiency. To fill this breach I am ready to propose a bill, which, if passed, will be known as the Budget Act of 1940. This act would establish a Budget Service as an agency of the legislative branch of the Government rather than of the executive branch. Certain functions now performed by the present Budget Bureau will be transferred to this new Budget Service.

The Budget Service will be solely and directly responsible to the Congress. Its purpose, in addition to others specified, shall be threefold—first, formulation of the national budget; second, studying and investigating the expenditures of the Government; and, third, reporting to the Congress and the general public periodically and at the end of the fiscal year the trend of expenditures in comparison with appropriations and revenues. It shall be empowered for this purpose to employ properly accredited private accounting and auditing firms at the discretion of the Director.

The Budget Service will act in a liaison capacity to and in cooperation with the Treasury Department and the General Accounting Office. The facilities of the Budget Service shall be available to them for any information and service desired consistent with the purpose of the act. The facilities and organization of the Treasury and General Accounting Office shall likewise be made available for any information or aid required by the Director.

One of the greatest mysteries of my life has been Government accounting and the figures they put out. It seems very complicated, and after some study I have come to the conclusion that figures in government don't amount to much or tell much of a story unless they show the following: First, total appropriations made to all departments and agencies and additions and subtractions thereof taken into consideration; second, total amount of these appropriations encumbered for expenditure; third, total amount unencumbered; fourth, total unliquidated encumbrances; and, fifth, total amount actually expended from the amount encumbered. That sounds complicated, but it is much more comprehensive than the method of showing figures at the present time and at the same time uses the figures available.

In business the income is first ascertained, and expenses are fitted to it. In government, the opposite is true. The expenses are first decided upon and then revenue is raised to meet it. Under this proposed bill it is my intention that we shall do as business does—ascertain the revenue and then fit expenses to it.

So that the Budget Service and the Congress shall know what is going on at all times, the Director will be empowered to appoint, to be stationed in each department, a Budget liaison officer who shall be on the pay roll of the Budget Service and who shall act as liaison for all budgetary matters between the Department and the Director. Quarters and space sufficient for the functioning of the Budget liaison officer and his staff shall be provided for in the various departments. He shall be responsible for aiding in formulating the Department budget, perform research work and investigation of expenditures, and submit a financial report to the Budget Service where it will be incorporated into the final report of the Congress to the people. The Budget Service will be the watchdog of Congress on financial matters.

It is my belief that only in this way can Congress know whether it is justified in increasing or decreasing appropriations. Something must be done, for Government is growing bigger every year. There is no harder task to perform than to liquidate Government bureaus once they are set up. Congress could do so with justification under this proposed bill.

APPOINTMENTS TO THE MILITARY AND NAVAL ACADEMIES

Mr. RUSSELL. I introduce a bill for appropriate reference, and I submit therewith an explanatory statement. I ask that the bill and statement be printed in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the bill of the Senator from Georgia, together with the explanatory statement, will be printed in the RECORD, and the bill will be appropriately referred.

The bill (S. 3145) authorizing appointments to the United States Military Academy and the United States Naval Academy of sons of soldiers, sailors, and marines who were killed in action or have died of wounds or injuries received or disease contracted in line of duty during the World War, was read twice by its title and referred to the Committee on Military Affairs, as follows:

Be it enacted, etc., That the second paragraph of the act of June 8, 1926, entitled "An act to establish a department of economics, government, and history at the United States Military Academy at West Point, N. Y., and to amend chapter 174 of the act of Congress of April 19, 1910, entitled 'An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1911, and for other purposes'" (44 Stat. 704), be, and the same is hereby amended to read as follows:

"That the number of cadets now authorized by law at the United States Military Academy, and the number of midshipmen now authorized by law at the United States Naval Academy, are each hereby increased by 40 from the United States at large, to be appointed by the President from among the sons of officers, soldiers, sailors, and marines of the Army, Navy, and Marine Corps of the United States, including members of the Army Nurse Corps (female) and Navy Nurse Corps (female) employed in the active service by the War Department and Navy Department, who were killed in action or have died, or may hereafter die of wounds or injuries received, or disease contracted, or preexisting injury or disease aggravated, in line of duty during the World War."

The explanatory statement presented by Mr. RUSSELL is as follows:

A BILL AUTHORIZING CERTAIN APPOINTMENTS TO THE UNITED STATES MILITARY AND NAVAL ACADEMIES

The act of June 8, 1926, which this bill amends, increased the number of cadets at the United States Military Academy and number of midshipmen at the United States Naval Academy by 40 at each institution, and provided that appointments to fill the vacancies created by the act should be made by the President from among the sons of officers, soldiers, sailors, and marines who were killed in action or died prior to July 2, 1921, of wounds or injuries received, or disease contracted in line of duty during the World War.

The appointments under this act correspond to those made by the President from among enlisted men of the Army, Navy, and National Guard. They in no way affect congressional appointments, or those made upon recommendations of Senators and Representatives.

The youngest of the possible beneficiaries of the act of June 8, 1926, was born in December 1921, and has now passed his eighteenth birthday. After 1941 he will be too old to enter the Naval Academy, and after 1943 too old to enter the Military Academy. This act, unless amended, will thus expire by its own limitation in 1943.

The purpose of the act of June 8, 1926, was to provide educational and professional opportunities for a limited number of sons of those who sacrificed their lives for the country in the World War. The increase in the authorized number of cadets and midshipmen was incidental to this primary purpose.

The limiting date, July 2, 1921, specified in the act, is more or less arbitrary. The son of a veteran who has died since that date of a war-service-connected disability is just as much entitled to assistance as one of a veteran who died prior to that date and after his discharge from the military or naval service. This was realized at the time the act was passed, but it was felt that some limit should be placed upon the number made eligible for these comparatively few appointments. This was accomplished by confining the appointments to sons of those who were killed or died during the legal period of the World War.

The number of eligibles, originally more than 6,000, is now 1,536 for appointment to the Military Academy, and 242 to the Naval Academy. Next year, 1941, there will be only 594 eligible for appointment to the Military Academy, and only 101 to the Naval Academy. In 1942 all will be too old to enter the Naval Academy, while the number still eligible for the Military Academy will be only 201.

This bill (S. 3145) extends the provisions of the act of June 8, 1926, to include the sons of those who have died since July 2, 1921, or may hereafter die, of a World War service-connected disability, or to use the language of the bill "of wounds or injuries received, or disease contracted, or pre-existing disease or injury aggravated, in line of duty during the World War."

The records of the Veterans' Administration show that there were, on June 30, 1939, 15,760 sons of veterans who have died since

the World War of service-connected disabilities. These boys range in age from infancy to 17, inclusive. For compensation purposes, they are divided by the Veterans' Administration into two groups, one consisting of 2,795 under 10 years of age, and the other of 12,965 from 10 to 17, inclusive. The Veterans' Administration has compiled no statistics for children after they have reached and passed their eighteenth birthday, but it is fair to assume that the number is comparatively small. The number of boys rendered eligible under this bill who will desire to take the examination, in any one year, for appointment at the Military and Naval Academies is, of course, problematic, but judging from the experience with the examinations under the original act, it is believed that it will not be so great as to render the administration of the act impracticable or burdensome.

GIFTS AND CONTRIBUTIONS TO FINLAND

Mr. WILEY. Mr. President, I think American citizens, individually and through groups, should do everything possible to raise money to provide Finland with what she needs. But I think it would be very dangerous to adopt a new foreign policy which would open the door to the American Treasury.

My heart, like that of all America, is with Finland. Finland is putting up one of the most remarkable defenses in all history, and Finland should be aided. I personally shall contribute toward that aid, but for reasons that are fundamental to me I cannot agree that Congress, as long as we are at peace, should vote a loan or a gift to any foreign nation. In reaching this conclusion, I am not looking simply at the present but also at the future. I am also recognizing that the power that Congress possesses is a delegated and limited power—and I find no authority in the Constitution authorizing the Congress to loan the people's money to a foreign nation for war purposes.

Mr. President, I repeat what I said to the Senate on January 8, 1940: "I believe that if the people of this country knew tomorrow that our Government would take no action, they would as individuals respond liberally to aid Finland."

According to the newspapers this morning, there is a serious question whether the Congress will take any action.

In my opinion, we should meet the issue quickly and at once.

Mr. President, I am introducing at this time a bill which would stimulate private gifts or contributions and ask that it be referred to the appropriate committee and printed in the RECORD. I believe that action on this bill should be accelerated and that the committee that handles it should get it back into the Senate quickly.

The VICE PRESIDENT. Without objection, the bill of the Senator from Wisconsin will be received, properly referred, and printed in the RECORD.

The bill (S. 3154) to permit contributions and gifts to the Republic of Finland to be deducted in computing net income for income-tax purposes to the same extent that charitable contributions are deductible, was read twice by its title and referred to the Committee on Finance, as follows:

Be it enacted, etc., That subsection (o) of section 23 of the Internal Revenue Code, as amended, is amended by inserting therein immediately after paragraph (1) thereof a new paragraph to read as follows:

"(1A) The Republic of Finland or any duly authorized representative thereof for exclusively public purposes of such Republic, if such contributions or gifts are made within the taxable year 1940."

SEC. 2. Section 23 of the Internal Revenue Code, as amended, is amended by inserting at the end thereof the following new subsection:

"(t) In the case of a corporation, contributions or gifts payment of which is made within the taxable year 1940 to the Republic of Finland or any duly authorized representative thereof for exclusively public purposes of such Republic, to an amount which when added to any deductions taken under subsection (q) of this section does not exceed 5 percent of the taxpayer's net income as computed without the benefit of this subsection and subsection (q). Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the Commissioner, with the approval of the Secretary."

CHANGES OF REFERENCE

Mr. BANKHEAD. Mr. President, the bill (H. R. 7342) to amend the Emergency Farm Mortgage Act of 1933, as amended, was referred to the Committee on Agriculture and Forestry. It seems to me perhaps the bill should have been

referred to the Committee on Banking and Currency, and I ask unanimous consent that the Committee on Agriculture and Forestry be discharged from the further consideration of the bill and that it be referred to the Committee on Banking and Currency.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

On motion by Mr. SHEPPARD, the Committee on Military Affairs was discharged from the further consideration of the following bills, and they were referred to the Committee on Finance:

S. 1300. A bill for the relief of officers who failed to file application for benefits within the time limit fixed by the act of May 24, 1928;

S. 1555. A bill to extend the time in which applications may be made for the benefits of the Disabled Emergency Officers' Retirement Act of May 24, 1928;

S. 1877. A bill for the relief of officers who failed to file application for benefits within the time limit fixed by the act of May 24, 1928; and

S. 2638. A bill to extend eligibility for disabled emergency officers' retirement benefits to those disabled emergency officers of the World War otherwise entitled thereto who failed to file application therefor within the time provided for in Public Law No. 506, approved May 24, 1928, Seventieth Congress.

AMENDMENT TO RIVER AND HARBOR BILL—CHANNEL FROM HAVRE DE GRACE TO RED POINT, MD., ETC.

Mr. TYDINGS submitted an amendment intended to be proposed by him to the bill (H. R. 6264) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was ordered to lie on the table and to be printed.

AUDREY JONES

Mr. NEELY submitted the following resolution (S. Res. 218), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Audrey Jones, daughter of Charles Jones, late an employee of the Senate, under supervision of the Committee on Rules, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

OBLIGATIONS OF UNION OF SOVIET SOCIALIST REPUBLICS TO UNITED STATES

Mr. VANDENBERG. I submit a resolution, which I ask to have reported at the desk.

The VICE PRESIDENT. The resolution will be read.

The legislative clerk read the resolution (S. Res. 219), as follows:

Resolved, That the President is requested to report to the Senate, if not incompatible with the public interest, whether the Union of Soviet Socialist Republics has fulfilled the obligations of the Litvinov agreements of November 16, 1933, upon which our diplomatic relations with the Union of Soviet Socialist Republics were then and are now made wholly contingent.

Mr. VANDENBERG. I ask that the resolution be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. Without objection, the resolution will be so referred.

Mr. VANDENBERG. In connection with my remarks, I ask to have printed in the RECORD a brief discussion of my viewpoint upon this subject as recently published in the Young Republican.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The original recognition of the Soviet Russian Government by the United States was a colossal blunder. I felt and said so then. I repeat it now. The only atonement—the only cure—is to acknowledge the mistake and undo it. That means a withdrawal not only of our Ambassador to Moscow but also a withdrawal of all our diplomatic recognition of an alien regime which, through its American tools, here seeks to promote Moscow's "world revolution." The same day that Comrade Molotov renewed in Moscow the Communist commitment to "world revolution," Comrade Browder renewed it in our own Boston and said we were ripe for "quick transition." Just why

we should continue officially to condone—officially bless—a Russian relationship which threatens our own internal security passeth all understanding. Just why we should be the only government in North and South America which thus recognizes the Russian Soviets—thus destroying that unity and solidarity of pan-American thought and action for which we pretend such affection—is the mystery of the age.

It is none of our business what kind of a government Russia maintains in Russia. But neither is it any of Russia's business what kind of a government America maintains in America. And it is very definitely a lot of our business whether Russia attempts to destroy—by propaganda, sabotage, or force—the kind of a government we have chosen for ourselves. That is what I said on the floor of the Senate January 11, 1934, when I cast one of the few votes against the confirmation of Ambassador Bullitt (the only chance the Senate had to pass upon the question of Russian recognition).

President Roosevelt knew he was dealing with a treacherous subject when he took up this question in the first year of his first administration. He tried to tie Moscow down with written promises. Comrade Litvinov cheerfully gave the promises. They are contained in the Roosevelt-Litvinov letters of November 1933. Moscow promised to wall us off from her "world revolution." She promised to disown any American movement which threatened the "tranquillity, prosperity, order, or security" of the United States or which in any way sought the overthrow of our Government by force. Incidentally she promised to settle her old debts (\$435,000,000 worth).

Russia has kept none of these promises. Moscow is the well-spring of the American Communist Party. It is impossible to separate the American Communist from his Moscow inspiration, leadership, and support. But it is possible to separate Moscow from a central station, a general headquarters, here in Washington. It is possible to withdraw our own benediction from this menace to our own "tranquillity, prosperity, order, and security." If we neglect this prudence much longer, we certainly shall have ominously forgotten that "eternal vigilance is the price of liberty."

Even if we had no sinister experience of our own with communism—and we are having them constantly all over the country—we have the premonitions of our own State Department (the Colby note of 1920 under President Wilson) that "the responsible leaders of this regime have frequently and openly boasted that they are willing to sign agreements and undertakings with foreign powers while not having the slightest intention of observing such undertakings or carrying out such agreements." The ruthless, brutal, cynical invasion of Finland demonstrates that the Moscow of 1939 is no different than the Moscow of 1920 which was too much for Woodrow Wilson to stomach.

This is not a partisan question. Democrats, as just indicated, have been among the most earnest opponents of Russian recognition; and some well-meaning Republicans, let it be added, joined in the 1933 belief that we ought to give the Soviets a chance. Well * * * they have had their chance, and now it is our move. I repeat it is not a partisan question. But is fair to say that Republican administrations (under Harding, Coolidge, and Hoover) declined to yield to the hammer and the sickle, and most Republicans were skeptical in 1933 as they still are today.

When I opposed recognition on the floor of the Senate on January 11, 1934, I said:

"Time and events will vindicate the action of the President only in the degree that these engagements do not degenerate into diplomatic scraps of paper."

Six years' test is long enough. These "engagements" are nothing more than "scraps of paper." They are worthless. They are worse than worthless because, in addition to being sterile themselves, they are the open door to internal American subversion. It is time to say so and to act accordingly.

I am not pretending that the withdrawal of this recognition automatically saves us from communism. No indeed; the best—the only sure—defense against communism is to restore some semblance of general American prosperity so that the agents of sedition meet deaf ears when they plead their dynamite. But the withdrawal of this recognition will symbolize an official purpose at the top (where it most greatly needs to be symbolized) to quit coddling the enemies of our domestic tranquillity and of our institutions. It will symbolize our refusal longer to be taken in by treachery and duplicity. It will symbolize our harmony with 20 other American republics in their hostility to communism. It will turn off the "green light" and meet the "reds" with "red."

AFFIDAVITS OF PREJUDICE IN DISTRICT COURT FOR ALASKA

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1335) relating to the filing of affidavits of prejudice in the District Court for the District of Alaska, which was, on page 2, line 12, after "case", to insert "The provisions of this subdivision shall apply only to the district court."

Mr. McNARY. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

ACQUISITION OF THE ESTATE OF PATRICK HENRY IN CHARLOTTE COUNTY, VA.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1919)

to provide for the acquisition by the United States of the estate of Patrick Henry in Charlotte County, Va., known as Red Hill, which were, on page 1, line 5, to strike out "\$125,000" and insert "\$100,000", and on page 2, line 5, after the word "hereby", to insert "authorized to be."

Mr. GLASS. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

EQUALIZATION OF SALARIES OF LETTER CARRIERS—CONFERENCE REPORT

Mr. McKELLAR. I submit a conference report, and ask for its immediate consideration.

The VICE PRESIDENT. The Senator from Tennessee submits a conference report and asks for its immediate consideration. The report will be read before the Chair puts the unanimous-consent request.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2001) for the equalization of salaries of letter carriers, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows:

In lieu of the sums proposed to be inserted by said amendment insert the following: "\$1,200 to \$1,440", and the Senate agree to the same.

KENNETH McKELLAR,

CARL HAYDEN,

LYNN J. FRAZIER,

Managers on the part of the Senate.

T. G. BURCH,

ALBERT E. AUSTIN,

B. F. WHELCHER,

WM. W. BLACKNEY,

Managers on the part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. KING. Mr. President, I should like to have an explanation of the matter.

Mr. McKELLAR. I shall be very glad to explain it.

Some time ago the House passed a bill increasing the salaries of village carriers from their former range of \$1,150 to \$1,300 to a range of \$1,300 to \$1,500. The Senate committee recommended an increase of \$50 per year to each class. The bill went to conference and the conference has reported a compromise of from \$1,200 to \$1,440, which we think is a reasonable compromise; and I hope the Senate will adopt it.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

TRIBUTE TO SENATOR BURKE

[Mr. WHEELER asked and obtained leave to have printed in the RECORD a tribute to Senator BURKE by Senator CONNALLY, published in the Omaha World-Herald of January 10, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR McCARRAN BEFORE NATIONAL AERONAUTIC ASSOCIATION CONVENTION

[Mr. KING asked and obtained leave to have printed in the RECORD the address delivered by Senator McCARRAN before the National Aeronautic Association in national convention at New Orleans, January 12, 1940, together with excerpts, which appear in the Appendix.]

ADDRESS BY SENATOR MEAD ON AID TO SMALL BUSINESS

[Mr. PEPPER asked and obtained leave to have printed in the RECORD a radio address on the subject Small Business Needs a Helping Hand, delivered by Senator MEAD on January 17, 1940, at Washington, D. C., which appears in the Appendix.]

REMARKS OF SENATOR MEAD BEFORE GRAND STREET BOYS' ASSOCIATION OF NEW YORK

[Mr. MALONEY asked and obtained leave to have printed in the RECORD the remarks made by Senator MEAD before the

Grand Street Boys' Association at the Commodore Hotel, New York City, on January 13, 1940, which appear in the Appendix.]

ARTICLE ON THE RAPE OF MUSCLE SHOALS

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article entitled "The Rape of Muscle Shoals," which appears in the Appendix.]

GUAM

Mr. WALSH. Mr. President, with reference to Guam, our small but strategically located island possession in the Pacific Ocean, and the controversies and the confusion which have arisen respecting the proposed harbor improvements there, a very clear statement on this subject was contained in an editorial in the Washington Star of January 10, 1940, as follows:

The House last year rejected a \$5,000,000 item for the Guam project, apparently due largely to a misunderstanding as to the purpose of the proposed works. There was also a feeling among some of the legislators that the improvements might offend Japan to the point of provoking war in the Pacific. The misunderstanding arose from a tendency to confuse the Navy's modest harbor program with the \$80,000,000 fortification project recommended by the so-called Hepburn Board. As a matter of fact, the Navy wishes at this time only to erect a breakwater to provide safer landing and mooring facilities for commercial and naval seaplanes and to remove certain coral obstructions hindering movement of seaplanes and other craft.

No fortifications nor gun emplacements such as were envisioned by some critics of the project last year are contemplated under the requested appropriation. That Japan might view such harbor improvements as a threat of war by the United States is inconceivable. And if Japan has no designs on the United States, she could have no reasonable objection to the use of Guam by the Navy as an island outpost, equipped to watch for any threat from the Far East and to flash a warning to our main line of defense in the Pacific, which extends from Unalaska through Hawaii to the Panama Canal. There is no need to fortify Guam at present, but prudence and common sense are on the side of the Navy in the plan to make Guam serve as a defensive listening post in the troubled Far East.

The same viewpoint is expressed in an editorial in the Baltimore Sun of January 11, which describes the proposals for expansion of the Navy and concludes with the following respecting Guam:

It seems also to renew the scheme for improving the Navy's facilities at Guam in a reasonable way. The plan is not really to fortify that outpost or turn it into a "fully equipped advance fleet base" but simply to dredge underwater runways and construct breakwaters. Virtually, this same scheme was killed by the House last February, because it was felt Japan would interpret it as a challenging gesture. Doubtless it could still be so construed. But no more than last year do the facts of the proposal have any genuine relation to challenges, belligerent or otherwise.

Editorial comment in the Washington Post of January 14 concerning the present proposal for harbor improvements at Guam was, in part, as follows:

With Guam increasingly important as a naval lookout in the south Pacific, as well as an important way station on the commercial air route between the United States and Asia, there is a good deal to be said for making harbor improvements there.

The Navy proposes to do this work by allocating to Guam \$4,000,000 of the sum budgeted for the fourteenth (Hawaiian area) naval district. This involves no subterfuge, for it is entirely up to Congress, which has now been informed of the plan, to approve or reject it.

But in making up its mind, Congress should avoid giving way to alarmist feelings and consider the project on its own merits as a useful development of minor significance. It is not and is clearly not intended to be a disguised entering wedge for any large-scale plan to fortify Guam.

CONSIDERATION OF UNOBJECTED-TO BILLS

The VICE PRESIDENT. The routine morning business is closed.

Mr. BARKLEY. I ask unanimous consent that the Senate proceed to the consideration of bills on the calendar to which there is no objection.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will proceed to call the bills on the calendar.

RESOLUTIONS PASSED OVER

The resolution (S. Res. 58) providing that a calendar day's notice shall suffice in connection with suspension of a rule was announced as first in order.

Mr. McNARY. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The resolution (S. 74) providing for a Committee on Civil Aviation was announced as next in order.

Mr. VANDENBERG. Let the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The joint resolution (S. J. Res. 45) to amend the act of July 3, 1926, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in claims which the Crow Tribe of Indians may have against the United States, and for other purposes" was announced as next in order.

Mr. McNARY. I ask that the joint resolution be passed over.

The VICE PRESIDENT. The joint resolution will be passed over.

Mr. KING. Mr. President, there are a number of so-called Indian bills on the calendar—

Mr. BARKLEY. Mr. President, I had intended, but overlooked it before beginning the call of the calendar, to suggest the absence of a quorum, so that absent Senators may come in. I now make the point that there is no quorum present.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Lee	Schwellenbach
Ashurst	Frazier	Lodge	Sheppard
Austin	George	Lucas	Shipstead
Bailey	Gerry	Lundeen	Slattery
Bankhead	Gibson	McKellar	Smathers
Barbour	Gillette	McNary	Stewart
Barkley	Glass	Maloney	Taft
Bilbo	Green	Mead	Thomas, Okla.
Brown	Guffey	Miller	Tobey
Bulow	Gurney	Minton	Townsend
Burke	Hale	Murray	Truman
Byrd	Harrison	Neely	Tydings
Byrnes	Hatch	Norris	Vandenberg
Capper	Hayden	Nye	Van Nuys
Chandler	Herring	O'Mahoney	Wagner
Chavez	Hill	Pepper	Walsh
Clark, Idaho	Holman	Pittman	Wheeler
Clark, Mo.	Holt	Radcliffe	White
Connally	Hughes	Reed	Wiley
Danaher	Johnson, Calif.	Reynolds	
Davis	Johnson, Colo.	Russell	
Donahay	King	Schwartz	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from Louisiana [Mr. OVERTON] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Nevada [Mr. McCARRAN], and the Senator from South Carolina [Mr. SMITH] are detained on important public business.

The Senator from Utah [Mr. THOMAS] is absent on official business for the Special Committee on Civil Liberties.

Mr. AUSTIN. I announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on official business.

The VICE PRESIDENT. Eighty-five Senators having answered to their names, a quorum is present.

BILLS PASSED OVER

The bill (S. 790) conferring jurisdiction upon the Court of Claims to hear and determine the claims of the Prairie Band or Tribe of Pottawatomie Indians of Kansas and Wisconsin against the United States was announced as next in order.

Mr. KING. Mr. President, an arrangement has been made that a bill which is pending before the Judiciary Committee, and as to which hearings have been asked by representatives of the Indian tribes, shall have a hearing early in February, at which time undoubtedly some arrangement will be made which will be followed by an agreement to take up so-called Indian bills for consideration. I therefore ask to have this bill and the four which follow it passed over.

The VICE PRESIDENT. Objection being made, Senate bill 790, Senate bill 1222, Senate bill 767, Senate bill 864, and Senate bill 498 will be passed over.

The bill (S. 1162) to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal, was announced as next in order.

Mr. McNARY. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1303) to amend the Agricultural Adjustment Act of 1938, as amended, with respect to cotton was announced as next in order.

Mr. BARKLEY and Mr. VANDENBERG. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 795) to provide for the education of all types of physically handicapped children, to make an appropriation of money therefor, and to regulate its expenditure, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

PROPOSED MOUNTAIN JUDICIAL DISTRICT IN TENNESSEE

The bill (S. 1681) to amend section 107 of the Judicial Code to create a mountain district in the State of Tennessee, and for other purposes, was announced as next in order.

Mr. AUSTIN. Let the bill go over.

Mr. McKELLAR. Mr. President, will the Senator withhold the objection in order to allow me at this time to read a very short letter on the subject from the Attorney General, so that it may be in the Record for the use of Senators?

Mr. AUSTIN. Mr. President, I have no objection to the reading of the letter, but I think this is a matter which ought to be referred to the Committee on the Judiciary.

Mr. McKELLAR. The Judiciary Committee reported the bill, and the Senator knows that we have had a conference about it. I shall be very glad, indeed, to have a further conference before the bill is taken up. I am perfectly willing to have it go over for that purpose, but I should like to read, at this point, a letter from the Attorney General.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. McKELLAR. Certainly.

Mr. AUSTIN. I do not, by my silence, agree to the position taken by the Senator from Tennessee.

Mr. McKELLAR. Of course not. I understand that.

The letter is dated July 22, 1939, and is as follows:

HON. HENRY F. ASHURST,

*Chairman of the Committee on the Judiciary,
United States Senate, Washington, D. C.*

MY DEAR SENATOR: My attention has been directed to the bill (S. 1681) to create an additional judicial district in the State of Tennessee.

Sometime ago I wrote you, in response to your request, concerning a prior bill (S. 676) on the same subject. The present bill, however, materially differs from the earlier measure. Under existing law, the State of Tennessee is divided into three districts known as the eastern, middle, and western. Each district has one judge. In addition, there is a fourth judge in the State who is a roving judge for the eastern and middle districts. The earlier of the two bills would have increased the judicial personnel in the State of Tennessee by, in effect, requiring the appointment of a judge for the projected district. The bill to which I am now referring (S. 1681), however, does not contemplate the appointment of an additional judge, as under the terms of the measure the present roving judge would become the resident judge of the new district.

In view of the foregoing considerations, I find no objection to the enactment of the bill.

Sincerely,

FRANK MURPHY,
Attorney General.

Mr. President, let me say that I am perfectly willing to have the bill go over; and I shall try to agree at an early date with my friend from Vermont as to further hearings on the matter.

The VICE PRESIDENT. Objection being made, the bill will be passed over.

BILL PASSED OVER

The bill (S. 570) to regulate interstate and foreign commerce in agricultural products; to prevent unfair competition; to provide for the orderly marketing of such products; to promote the general welfare by assuring an abundant and

permanent supply of such products by securing to the producers a minimum price of not less than cost of production, and for other purposes, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

INDEFINITE POSTPONEMENT OF A RESOLUTION

The resolution (S. Res. 107) opposing sales of American cotton during the present world crisis to foreign purchasers below the cost of production was announced as next in order.

Mr. VANDENBERG. Let the resolution go over.

Mr. GEORGE. Mr. President, this resolution perhaps should be indefinitely postponed.

I submitted the resolution to prevent the Agricultural Department from paying a subsidy of \$7.50 per bale, or 1½ cents per pound, on cotton to be exported to foreign purchasers. I submitted the resolution at a time when it was perfectly obvious that, because of the approaching war in Europe, cotton would go up anyway. As a matter of fact, the subsidy paid by the Secretary of Agriculture has not induced the exportation of any cotton. As a matter of fact, American stocks in nearly all foreign warehouses were then exhausted. It was a wholly useless proceeding upon the part of the Secretary of Agriculture; but there is not any use in retaining the resolution upon the calendar.

Mr. President, in passing I desire to say that the present session of Congress will have to provide for an additional appropriation to the Secretary of Agriculture of from nine to ten million dollars to enable him to comply with the Agricultural Adjustment Act or the Soil Conservation Act; and the \$40,000,000 which was given away to induce foreign purchasers to buy cotton below the cost of producing it could well have been used to take care of the item which the Congress must be ultimately called on to provide in a deficiency bill.

So far as this resolution is concerned, it may well be indefinitely postponed; and I ask that it take that course.

The PRESIDING OFFICER (Mr. HATCH in the chair). The Senator from Georgia requests unanimous consent that the resolution be laid on the table and action thereon indefinitely postponed. Is there objection? The Chair hears none, and it is so ordered.

BILL PASSED OVER

The bill (S. 1305) to promote the general welfare through appropriation of funds to assist the States and Territories in providing more effective programs of public education was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILLS INDEFINITELY POSTPONED

The bill (S. 1265) to establish a Department of Public Works, to amend certain sections of the Social Security Act, and for other purposes was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

Mr. BYRNES. Mr. President, as to this bill and the bill following—Senate bill 2202, to establish a Public Works Agency—I ask that they be laid upon the table and action upon them indefinitely postponed.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

BILL AND JOINT RESOLUTION PASSED OVER

The bill (S. 2203) to amend certain sections of the Social Security Act was announced as next in order.

Mr. McNARY. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

W. K. RICHARDSON

The joint resolution (S. J. Res. 34) for the relief of W. K. Richardson was announced as next in order.

Mr. KING. Let the joint resolution go over.

Mr. SHEPPARD. Mr. President, in reference to Senate Joint Resolution 34, I desire to say that in the Seventy-fourth Congress Senate Resolution 119 remanded this claim to the Court of Claims for readjudication. The Court of

Claims dismissed the petition on the ground that, since the claim had been adjudicated by that court, jurisdiction to readjudicate it could not be conferred by the action of merely one of the Houses of Congress. This is therefore a joint resolution, which requires the concurrence of the other House. The joint resolution provides that the maximum amount which may be allowed by the Court of Claims shall be 3 percent of the original claim; and the committee believed the matter ought to be reconsidered.

Mr. KING. Let me say to the Senator that a similar joint resolution was passed heretofore and was vetoed by the President, as I recall.

Mr. SHEPPARD. This joint resolution provides that the award shall not be more than 3 percent of the original amount of the claim; and on that basis the committee thought the matter ought to be reconsidered.

Mr. KING. I adhere to my objection.

The PRESIDING OFFICER. Objection being made, the joint resolution will be passed over.

BILLS PASSED OVER

The bill (S. 517) to amend the Communications Act of 1934 to prohibit the advertising of alcoholic beverages by radio was announced as next in order.

Mr. McNARY. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1730) to amend the civil-service law to permit certain employees of the legislative branch of the Government to be transferred to positions under the competitive classified civil service was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 289) for the relief of officers and soldiers of the Volunteer service of the United States mustered into service for the War with Spain was announced as next in order.

Mr. KING. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1650) to promote peace and the national defense through a more equal distribution of the burdens of war by drafting the use of money according to ability to lend to the Government was announced as next in order.

Mr. VANDENBERG. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 915) to provide for the more expeditious settlement of disputes with the United States, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over!

The PRESIDING OFFICER. The bill will be passed over.

PAYMENT OF BONUS TO PROVISIONAL AND PROBATIONARY OFFICERS

The Senate proceeded to consider the bill (S. 457) to amend the World War Adjusted Compensation Act, which was read, as follows:

Be it enacted, etc., That subsection (b), section 202, of the World War Adjusted Compensation Act is amended to read as follows:

"(b) Any individual holding a permanent or provisional commission or permanent or acting warrant in any branch of the military or naval forces, or (while holding such commission or warrant) serving under a temporary commission in a higher grade—in each case for the period of service under such commission or warrant or in such higher grade after the accrual of the right to pay thereunder. This subdivision shall not apply to any noncommissioned officer nor to any provisional, probationary, or temporary officer of the military or naval forces or Coast Guard, under the grade of major or lieutenant commander, who served subsequent to April 6, 1917, and who is now in a status of honorable separation from the military, naval, or Coast Guard service: *Provided*, That applications under this act must be made within 1 year from the date of enactment."

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

Mr. SHEPPARD. Mr. President, during our participation in the World War in 1917 and 1918 there were several distinct groups of officers in the United States Army, Regular Army officers, National Army officers, emergency officers, provisional officers, and probationary officers. Officers below the grade of major, other than Regulars, were supposed to be entitled to adjusted compensation, commonly known as the bonus.

An interpretation of the law by the War Department, however, barred provisional and probationary officers from eligibility to receive the bonus, as it was held that these officers were part of the Regular forces. There was no difference in the service rendered by officers of all groups.

Mr. McKELLAR. Mr. President, if I may interrupt the Senator, in my hasty examination of the papers I find that both the Secretary of War and the Secretary of the Navy have advised against the enactment of the bill.

Mr. SHEPPARD. They opposed the bonus. This measure is of a piece with the same character of legislation.

Mr. McKELLAR. What would it cost?

Mr. SHEPPARD. About \$1,700,000.

Mr. McKELLAR. A year?

Mr. SHEPPARD. No; that would be the total cost.

Mr. CONNALLY. Mr. President, will the Senator from Texas yield?

Mr. SHEPPARD. I yield.

Mr. CONNALLY. Let me say to the Senator from Tennessee that, as I understand, the bill merely allows those whom we call provisional officers to get the bonus, just as the Reserve officers received it. As soon as the war was over they went out into civil life, but because they were provisional officers, and technically a provisional officer was a Regular Army officer, and because the bonus was refused to Regular Army officers, these men have not received the bonus, and they ought to have it.

Mr. SHEPPARD. Although considered technically as Regulars, they get no emoluments such as those received by Regular Army officers after discharge. They were left without any recognition after discharge, either as Regulars or provisionals.

Mr. CONNALLY. I do not know about that phase of the matter. I beg the pardon of the Senator from Texas; I did not mean to take him off the floor.

Mr. SHEPPARD. I was glad to have the Senator's contribution.

Mr. McKELLAR. Did these officers get the bonus received by Regular enlisted soldiers?

Mr. SHEPPARD. They did not.

Mr. McKELLAR. They received no bonus whatever?

Mr. SHEPPARD. None whatever.

Mr. McKELLAR. I shall not object.

Mr. KING. Mr. President, in view of the adverse recommendations by the Secretary of the Navy, former Senator Swanson, and Mr. Johnson, the Acting Secretary of War, in order that the record may be complete as to the attitude of the War Department and the Navy Department in respect to the matter, I ask that the adverse recommendations be inserted in the RECORD as a part of the proceedings in connection with the bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the adverse recommendations were ordered to be printed in the RECORD, as follows:

Report from the War Department on the current bill, S. 457, under date of April 11, 1939, follows:

Hon. MORRIS SHEPPARD,

Chairman, Committee on Military Affairs,

United States Senate.

DEAR SENATOR SHEPPARD: Careful consideration has been given to S. 457, Seventy-sixth Congress, first session, a bill to amend the World War Adjusted Compensation Act, which you transmitted to the War Department on January 18, 1939, with a request for information and the views of the Department relative thereto.

The provisions of this bill are similar to those contained in numerous previous bills to amend the World War Adjusted Compensation Act, the most recent similar Senate bills being S. 22 and S. 4042, both of which were introduced in the Seventy-fifth Congress. In the case of the former, your attention is invited to the War Department's adverse report to your committee under date of March 27, 1937, which report has been published in Senate Report No. 1909, Seventy-fifth Congress, third session (Calendar No. 2014), to accompany S. 4042, a copy of which printed report is enclosed (in committee files). It appears that the War Department was not called upon to report on S. 4042.

Insofar as this Department is involved by the present bill, S. 457, it would amend the provisions of subsection (b), section 202, of the World War Adjusted Compensation Act so that adjusted-service credit might be allowed to provisional and probationary officers of the Regular Army who are now in a status of honorable separation from the military service. S. 457 is, therefore, broader in its scope than S. 22, which set the date, January 1, 1922, as the specific

date prior to which such officers must have been honorably separated from the military service in order to come in for adjusted compensation. It is considered that it is intended by S. 457 to render all provisional and probationary officers of the Regular Army whose service would otherwise qualify them as "veterans" under the provisions of the World War Adjusted Compensation Act eligible to apply for and receive adjusted compensation if they are now or may become honorably separated from the military service prior to the date the bill becomes law. And it is evident, therefore, that the number of such persons who would become beneficiaries under the bill, if enacted, cannot be determined until after it becomes law. The World War Adjusted Compensation Act does not exclude officers who held temporary commissions below the grade of major in the Army from the benefits thereunder.

The approximate number who would become beneficiaries under the legislation, if enacted, up to and including the date February 9, 1939, is 2,513, and it has been estimated by this Department that their total adjusted-service credit would approximate \$1,570,625. If the committee desires information regarding the total adjusted-service certificate face value and an estimate of the additional appropriations necessary to cover the cost of the proposed legislation, the same may be obtained from the Administrator of Veterans' Affairs, to whom the above statistics have been furnished, as that official is charged by law with the adjudication of all claims for compensation.

The War Department invites your attention to the fact that the present Chief Executive has, on two separate occasions, June 26, 1936, and August 26, 1937, withheld his approval from enactments designed to grant adjusted compensation to the provisional officer's group. There are enclosed copies (in committee files) of his memoranda of disapproval regarding the measures which set forth his observations with respect thereto.

Attention is also invited to the adverse report of the War Department dated February 28, 1938, and the pertinent statement of Lt. Col. F. Granville Munson, Judge Advocate General's Department, who represented the War Department at a hearing held March 24, 1938, on S. 3280, Seventy-fifth Congress, third session, titled "A bill placing provisional officers of the World War in the same status with emergency officers of the World War and extending to them the same benefits and privileges as are now or may hereafter be provided by law, orders, and regulations for said emergency officers, and for other purposes," which bill, if enacted, would have granted adjusted compensation and other benefits and privileges to provisional officers. Both the report and statement referred to have been published and are contained in a pamphlet printed for use by your committee, a copy entitled "Hearing before the Committee on Military Affairs, United States Senate, Seventy-fifth Congress, third session, on S. 3280," is enclosed (in committee files).

After mature consideration of the entire matter, the War Department adheres to the view expressed in its previous report on S. 22, printed in the enclosed Senate Report No. 1909, and recommends that S. 457 be not enacted into law.

The proposed legislation was submitted to the Bureau of the Budget, which reports that there is no objection to the submission of this unfavorable report to your committee.

Sincerely yours,

LOUIS JOHNSON,
Acting Secretary of War.

Report from the Navy Department on S. 457, under date of April 10, 1939, follows:

The CHAIRMAN, COMMITTEE ON MILITARY AFFAIRS,

United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: The bill (S. 457) to amend the World War Adjusted Compensation Act was referred to the Navy Department by your committee with a request for views relative to the measure.

It is the purpose of the bill S. 457 to make eligible for adjusted-service compensation those officers who served during the World War under probationary appointments as dental surgeons, acting ensigns for engineering duties only, acting chaplains, and as probationary officers of the Marine Corps.

For the individuals in such status, probationary appointments were the only means of entrance into the permanent Naval Establishment. These former officers were not inducted into the Navy or Marine Corps for the duration of the war or the duration of a national emergency but elected the Navy as their vocation and would have been given permanent commissions upon the expiration of the probationary period of service if qualified and if they had not resigned voluntarily.

Since the law relating to adjusted compensation was apparently intended for the benefit of individuals who gave up their civilian occupations to serve the armed force of the Government during the war, it does not appear to the Navy Department that individuals serving under probationary appointments are among those intended to be benefited.

It is estimated that in the event of the enactment of S. 457 approximately 340 officers who served in a probationary status subsequent to April 6, 1917, would benefit by the enactment of this legislation. It is estimated that the total amount of service credit to which these officers would become entitled is approximately \$167,000.

The Navy Department recommends against enactment of the bill, S. 457.

Sincerely yours,

CLAUDE A. SWANSON.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FREE FLOW OF FISHERY PRODUCTS

Mr. DANAHER. Mr. President, Order of Business 630, Senate bill 1852, and Order of Business 724, Senate bill 2110, which appear on the same page of the calendar, were companion bills with one which was acted upon in late July or early August last. At that time the Senators interested in these particular measures came to an agreement, and the Senate passed, and the House has since passed, a bill which contains the essential features of these two measures on the calendar. At that time we decided that probably the best way to clear the calendar was to move to recommit the bills to the committees from which they came. In the absence of objection, I ask that that course be taken at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and Senate bill 1852 will be recommitted to the Committee on Commerce, and Senate bill 2110 will be recommitted to the Committee on Agriculture and Forestry.

BUSINESS AND ECONOMIC RESEARCH STATIONS

The bill (S. 1740) to promote business and economic research in the United States by establishing and maintaining in connection with State university schools of business administration, research stations to cooperate with the Department of Commerce was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

Mr. SHEPPARD. Mr. President, this is quite an important bill, and if opportunity affords, when the call of the calendar is concluded, I shall deliver an explanation of the bill, and if the opportunity does not present itself today, I shall at some early moment address the Senate on this measure.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

PUBLIC WORKS ON RIVERS AND HARBORS

The bill (H. R. 6264) authorizing the construction upon and preservation of certain public works on rivers and harbors, and for other purposes, was announced as next in order.

Mr. VANDENBERG. Mr. President, this is a rivers and harbors authorization bill, which involved \$83,000,000 when it came from the House of Representatives. The Senate Commerce Committee added a little item of \$324,000,000. In the new and contrite spirit of economy which seems to have taken possession of the Congress, I cannot imagine favorable consideration of such an atrocity. I would ask that the bill be recommitted to the Committee on Commerce except for the absence of the distinguished chairman of that committee. When he is present I shall press the request. For the time being I ask that the bill be passed over.

Mr. SHEPPARD. Mr. President, the bill has the approval of a large majority of the Committee on Commerce. It is an authorization bill, and would spread the expenditures over about 8 years. It involves a long-time program, including some of the most important waterway and harbor projects in the United States.

The Senator himself is on a completed waterway project, perhaps the model waterway project of the world, the channel from Duluth to Buffalo and New York, which made possible the steel industry of America, and made possible the development of the railroads, and all the great steel structures of the country, really the physical basis of our civilization.

Mr. VANDENBERG. Mr. President, I am sure the Senator from Texas does not quite mean what he says. I know of no such authorization as that of which he speaks. The St. Lawrence waterway project is still pending; it has not been approved.

Mr. SHEPPARD. I am speaking of the Great Lakes waterway, the improvement of the waterways connecting the Great Lakes, used by ships carrying iron ore from Minnesota to the great steel works in the vicinity of Chicago, Gary, Cleveland, Pittsburgh, and other points. I am speaking of a waterway project already in existence and which has been in existence for probably 50 years.

Mr. VANDENBERG. It has been in existence at least 50 years, and carries a third of the water-borne commerce of the United States; but whether or not the Senator from Michigan has any interest in the bill directly, he is opposed to any \$324,000,000 authorization at the present time, and he is one member of the Committee on Commerce who dissents from the statement made by the distinguished Senator from Texas.

Mr. KING. Regular order.

The PRESIDING OFFICER. The regular order is called for. The clerk will state the next bill on the calendar.

BILLS AND JOINT RESOLUTION PASSED OVER

The bill (S. 2259) to amend laws for preventing collisions of vessels, to regulate equipment of certain motorboats on the navigable waters of the United States, and for other purposes was announced as next in order.

SEVERAL SENATORS. Over! Over!

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 145) proposing an amendment to the Constitution of the United States relating to old-age assistance was announced as next in order.

Mr. BARKLEY. Let that go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The bill (S. 1296) to amend paragraphs (b), (c), and (d) of section 6 of the District of Columbia Traffic Act, 1925, as amended by the acts of July 3, 1926, and February 27, 1931, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over! Over!

The PRESIDING OFFICER. The bill will be passed over.

FRANK P. HOYT

The bill (S. 2264) for the relief of Frank P. Hoyt was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers Frank P. Hoyt, who was a member of Troop D, Eighth Regiment United States Cavalry, shall hereafter be held and considered to have served for more than 90 days during the Philippine Insurrection and to have been honorably discharged on the 1st day of June 1900: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act: *And provided further,* That the rights, privileges, and benefits conferred upon Frank P. Hoyt by reason of the enactment of this act shall be limited to admission to a soldiers' home under the regulations governing such admissions.

BILLS AND JOINT RESOLUTIONS PASSED OVER

The bill (S. 2585) to reimburse the cotton cooperative associations for losses occasioned by the Federal Farm Board's stabilization operations, and for other purposes, was announced as next in order.

Mr. McKELLAR. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 84) proposing an amendment to the Constitution of the United States for a referendum on war was announced as next in order.

Mr. VANDENBERG. Let that go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The joint resolution (S. J. Res. 140) proposing an amendment to the Constitution relating to the power of the Congress to declare war was announced as next in order.

Mr. VANDENBERG. Over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The bill (S. 2687) to establish a circuit court of appeals for patents was announced as next in order.

Mr. VANDENBERG. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 409) to protect American labor and stimulate the employment of American citizens on American jobs was announced as next in order.

SEVERAL SENATORS. Over! Over!

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 5643) to invest the circuit courts of appeals of the United States with original and exclusive jurisdiction to review the order of detention of any alien ordered deported from the United States whose deportation or departure from the United States otherwise is not effectuated within 90 days after the date the warrant of deportation shall have become final; to authorize such detention orders in certain cases; to provide places for such detention; and for other purposes was announced as next in order.

SEVERAL SENATORS. Over! Over!

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2573) to amend the Agricultural Adjustment Act of 1938, as amended; for the purpose of regulating interstate and foreign commerce in rice and providing for the orderly marketing of rice at fair prices in interstate and foreign commerce was announced as next in order.

Mr. VANDENBERG. Over.

The PRESIDING OFFICER. The bill will be passed over.

LEESBURG WELDING & GARAGE CO.

The Senate proceeded to consider the bill (S. 2289) for the relief of the Leesburg Welding & Garage Co., which had been reported from the Committee on Claims with amendments, on page 1, line 6, to strike out "\$1,017.78" and insert "\$1,017.08", and to strike out the proviso at the end of the bill and to insert in lieu thereof a new proviso, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Leesburg Welding & Garage Co., of Leesburg, Fla., the sum of \$1,017.08, in full satisfaction of its claim against the United States for payment for certain materials furnished and services rendered, at the request of officials of the Works Progress Administration, in connection with the Venetian Garden project, official project No. 65-35-295, in Leesburg, Fla., during the period November 1, 1936, to February 15, 1937: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION PASSED OVER

The bill (H. R. 6039) to amend laws for preventing collisions of vessels; to regulate equipment of certain motorboats on navigable waters of the United States, and for other purposes, was announced as next in order.

Mr. KING. I would like to have an explanation.

Mr. McKELLAR. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 101) defining and classifying gratuity expenditures allowable as offsets in favor of the United States and against the Five Civilized Nations or Tribes of Indians, was announced as next in order.

Mr. KING. Mr. President, this joint resolution comes in the category heretofore referred to, and I ask that it go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The bill (S. 2420) relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents and occupational diseases therein, and for other purposes, was announced as next in order.

Mr. TAFT. Let the bill go over.

Mr. NEELY. Mr. President, I give notice that as soon as the call of the calendar shall be completed I shall move that the Senate proceed to the consideration of Senate bill 2420, to which objection has just been made.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

COLLECTION OF IRRIGATION CHARGES UNDER BLACKFEET IRRIGATION PROJECT

The joint resolution (S. J. Res. 153) to approve the action of the Secretary of the Interior in deferring the collection of

certain irrigation charges against lands under the Blackfeet Indian irrigation project was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That in accordance with the act of June 22, 1936 (49 Stat. 1803), the action of the Secretary of the Interior in deferring such charges under said irrigation project is hereby approved.

The preamble was agreed to.

BILL PASSED OVER

The bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over! Over!

The PRESIDING OFFICER. The bill will be passed over.

CONSERVATION OF OIL AND GAS RESOURCES

The bill (H. R. 2953) authorizing States owning lands or interests therein acquired from the United States to include the same in certain agreements for the conservation of oil and gas resources was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 2575) to provide pensions, compensating retirement pay, and hospital benefits for certain Reserve officers of the Army of the United States was announced as next in order.

Mr. KING. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2830) to provide for the registration of aliens was announced as next in order.

Mr. SCHWELLENBACH. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

RETIREMENT PAY FOR CERTAIN EMERGENCY OFFICERS

The bill (S. 134) providing for continuing retirement pay, under certain conditions, of officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability while in the service of the United States during the World War, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, I ask that the bill be passed over, but will withhold the objection until we may have an explanation of the measure. I should like an explanation of it.

The PRESIDING OFFICER. The Senator from Utah withholds his objection and requests an explanation.

Mr. GEORGE. Mr. President, this bill is similar to one which has previously been passed by the Congress. It makes possible the restoration to the rolls of certain emergency officers who were stricken off under the act of 1934. It is not an unjust measure in any respect. Soon after the conclusion of the World War Congress gave the privilege of retirement benefits to the officers of the Navy and the Marine Corps. Congress likewise gave retirement benefits to the emergency officers of the World War. The so-called Economy Act eliminated from the rolls some 4,000 officers, and left on the rolls about 1,900 officers.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. McKELLAR. What would be the cost of the measure? I see by the letter from General Hines that the cost would be \$2,677,000. Does that mean for a year or would that be the entire cost?

Mr. GEORGE. I shall get to that in a moment. The Veterans' Administration has simply reported the outside number of Reserve officers who could be returned to the rolls, and has reported about 2,950, I believe—less than 3,000. That is the maximum number. In 1938 the rehabilitation services of the veterans' organizations, working separately, not concurrently, made a very careful calculation of the number of emergency officers of the World War who could be restored to the rolls under this bill. In April of that year

they fixed the number then at 1,500. The average age of these officers is 58 years. They are dying very rapidly; 17.4 percent of the number stricken from the rolls under the so-called Economy Act of 1934 passed away prior to January 1, 1940.

When we consider that they are of the average age of 58 years, ranging from 44 years to 83 years of age, it is obvious that these emergency officers are passing away at a very rapid rate.

The veterans' rehabilitation services of all the veterans' organizations estimated that not more than 1,500 could be returned to the rolls. Certainly more than 100 of these officers have died since these estimates were made. So there can be only about 1,300 or 1,400 returned to the rolls under this measure. The cost, therefore, would be not to exceed \$1,400,000. That would be an annual cost. But, since these officers are dying at a rapid rate, the cost will very rapidly decline.

Mr. President, it is merely a matter of being fair to these officers. The emergency officers of the Navy and Marine Corps were retired. The emergency officers of the Army were retired. The Economy Act came along, and out of some 6,000 officers all but about 1,900 were taken off the rolls.

Under Public Law No. 18, passed in the Seventy-sixth Congress, even a National Guard officer or an officer in the Reserve Corps called back into active service for 30 days, and suffering a permanent disability, is entitled to retire. Congress passed that law. It had the approval of the Administration. A National Guard officer or an officer in the Reserve Corps called back for 30 days, and suffering a permanent disability of 30 percent or more, is entitled to retirement pay. Yet the emergency officers of the World War are not permitted to receive retirement benefits, when like benefits have been given to every other class of officers.

It is true that officers of the World War who received combat wounds and who could establish that their disability arose from actual service, when they have 30 percent disability, are on the rolls. But none of the emergency officers, with very minor exceptions, are now entitled to the retirement benefits because of the Economy Act, unless they can establish this so-called causative factor, which nobody can establish. Let me explain what is meant by the "causative factor." If an officer is stricken with disease while he is in the actual service and in actual line of duty, unless he can convince the Bureau that he would not have had that disease in private life, he is not able to establish the causative factor and he goes off the rolls. It is the harshest rule that was ever applied to a set of deserving officers.

Mr. President, I wish the RECORD to show the facts with reference to these officers. They must be 30 percent or more disabled, and the disability must be permanent. The pending measure can apply only to some of the officers who were stricken from the rolls by the Economy Act and who are yet alive. It cannot apply to the maximum number, because service-connected disability to the degree of 30 percent or more must be shown by a preponderance of the evidence without the benefit of any statutory or regulatory presumption whatsoever.

Therefore, when the Veterans' Administration reports the maximum number that could possibly be returned to the rolls as 2,900, no allowance is made for deaths since the date of that report. The officers are dying at a very rapid rate. Even the emergency officers who were left on the rolls under the Economy Act have passed away at a rate of more than 8 percent per annum.

Mr. President, I repeat that this is a measure which ought to be passed notwithstanding it does mean an increase in the cost of Veterans' Administration of a little more than \$1,000,000—say \$1,300,000 or \$1,400,000—to begin with. It can never go beyond that amount, and it will very rapidly decrease, because of the rapid death rate among this type of veteran officers.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. GEORGE. I yield to the Senator from Connecticut.

Mr. DANAHER. I thank the Senator; and expressing myself in the deepest sympathy with the objective for which the Senator argues, may I not ask, calling attention to the top of page 2, line 1, of the bill, where reference is made to making valid application for retirement, if existing law requires that the application be filed within 1 year from the passage of the act of 1928?

Mr. GEORGE. That was the requirement in the original act.

Mr. DANAHER. Yes. And that was not extended by the act of 1933, as I understand?

Mr. GEORGE. No; that was not extended.

Mr. DANAHER. Everything the Senator says in favor of this particular bill would apply alike to those emergency officers who did not file applications within the year, would it not?

Mr. GEORGE. That is true. They would have the right to file under this measure.

Mr. DANAHER. Would the Senator object, then, to extending the time within which application for retirement properly may be made by those who failed to take advantage of the act when first passed?

Mr. GEORGE. Oh, not at all. But since they must have had 30-percent disability in actual service, I take it that practically all the emergency officers who could qualify did file applications. I do not think there has been any complaint upon that ground.

Mr. DANAHER. Mr. President, if the Senator will yield further, I have in mind at this moment a man who was captain of the football team of his university. He was an All-American player in 1917. He enlisted and went to war. He became a major overseas. In 1929 he had plenty of money. He was able to take care of himself, but still had a 49-percent rating of disability. He is a chevalier of the Legion of Honor. He has a Distinguished Service Cross. He was cited for the Congressional Medal of Honor. Today he has nothing and he is a hopeless wreck. He cannot now qualify. He is an emergency officer. He comes within every argument the Senator from Georgia presents. I wonder if we could not amend the bill in such fashion as to take care of such an officer? With the Senator's collaboration I am certain that we could, and no injustice would remain even to that very small class of officers, as the Senator himself points out, who, having failed to qualify in 1928, notwithstanding their disability, ought very properly to be included today. I ask and bespeak the Senator's cooperation in drawing an amendment to that end.

Mr. GEORGE. Mr. President, I would certainly have no objection to such an amendment if the bill does not take care of a situation of that kind; and, since the measure must go to the House anyway, I will undertake to see that it takes care of all the cases which cannot now qualify under it.

Mr. DANAHER. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of any law of the United States, any person who served as an officer of the Army, Navy, or Marine Corps of the United States during the World War, other than as an officer of the Regular Army, Navy, or Marine Corps during the World War, who made valid application for retirement under the provisions of Public Law No. 506, Seventieth Congress, enacted May 24, 1928 (U. S. C., Supp. VII, title 38, secs. 581 and 582), and who prior to the passage of this act has been granted retirement with pay, shall be entitled to continue to receive retirement pay at the monthly rate paid him on March 19, 1933, if the disability for which he has been retired resulted from disease or injury or aggravation of a preexisting disease or injury incurred in such service in fact in line of duty and directly resulting from the performance of duty: *Provided*, That such person entered active service between April 6, 1917, and November 11, 1918, and served as an officer prior to July 2, 1921: *Provided further*, That where the disability is now or hereafter determined to be directly incurred in or aggravated during active service, in fact in line of duty without benefit of any statutory or regulatory presumption of any kind, it will be considered to have directly re-

sulted from performance of duty, unless otherwise shown by official record or clear and unmistakable evidence.

SEC. 2. Payment of emergency officers' retirement pay shall be effective from the date of enactment of this act in all cases where entitlement thereto is authorized solely by the provisions of this act. No beneficiary under this act shall receive any retirement pay for any period prior to the date of this act.

SEC. 3. That subsection (b) of section 212 of Public Law No. 212, Seventy-second Congress, shall be amended to read as follows:

"(b) This section shall not apply to any person whose retired pay, plus civilian pay, amounts to less than \$3,000: *Provided*, That this section shall not apply to regular or emergency commissioned officers retired for disability incurred in combat with an enemy of the United States or for disabilities resulting from an explosion of an instrumentality of war in line of duty during an enlistment or employment as provided in Veterans Regulation No. 1 (a), part I, paragraph I."

BILLS PASSED OVER

The bill (H. R. 6901) granting increase of pensions to certain widows of veterans of the Civil War was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2510) to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public kindergarten or kindergarten and nursery-school education was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT

The bill (H. R. 7171) to amend section 22 of the Agricultural Adjustment Act was announced as next in order.

Mr. KING. Mr. President, may we have an explanation of the bill?

Mr. CONNALLY. Mr. President, the Committee on Finance considered this measure and favorably reported it. Without going into a long explanation, I will say to the Senator from Utah that under the present law in the matter of the exportation of agricultural commodities there is a possibility that, under section 22 of the Agricultural Adjustment Act, money may be used for the purpose of paying export bounties. There is always danger of such commodities coming right back on us. The present law provides that quotas and limitations may be established if the commodities are actually coming in. We have to wait until they come in before we can invoke the act. The pending bill merely provides that we do not have to wait until the commodities actually come in, but may invoke the provisions in lines 11 and 12, by inserting in subsection (a), after the word "being," the words "or are practically certain to be." That is the really substantial part of the bill, and I think there will be no objection to it if Senators understand it.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. McNARY subsequently said: Mr. President, I wish briefly to refer to the bill so ably presented by the distinguished Senator from Texas [Mr. CONNALLY].

Mr. CONNALLY. The Senator refers to House bill 7171?

Mr. McNARY. Yes.

The PRESIDING OFFICER. The Senator asks to recur to that bill?

Mr. McNARY. No; I am merely going to make a brief statement for the purpose of asking unanimous consent to insert in the RECORD some data which I think will be revealing and interesting. I shall not state my interest in the matter, though it has been very great; but I have a letter from Mr. N. E. Dodd, who is the western representative of the Agricultural Adjustment Administration, and one of the ablest men in the Administration.

I requested information as to the amount of wheat that might be brought into this country in case of a further fall in currencies, or in the event of market conditions throughout the world which would bring about an importation of wheat in great amount. The data indicate, Mr. President, that there is in this country a good deal of bonded wheat

which was raised in Canada, and that there is a great quantity stored in warehouses and elevators along the border line ready to be shipped in. In anticipation of that situation, the bill which has just been passed will act as a corrective.

I ask unanimous consent to have inserted in the RECORD, following action on the bill by the Senate, the letter from Mr. Dodd, and the table accompanying it.

There being no objection, the letter and table were ordered to be printed in the RECORD, as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
AGRICULTURAL ADJUSTMENT ADMINISTRATION,
Washington, D. C., January 11, 1940.

HON. CHARLES L. McNARY,
United States Senate.

DEAR SENATOR McNARY: In accordance with your request, there is enclosed a table showing the position of Canadian grain in store in the United States, December 22, 1939, compared with the same date a year ago. On January 9, 1940, the stocks of Canadian grain in the United States amounted to 38,000,000 bushels.

There are over 310,000,000 bushels of wheat in store in Canada, of which more than 140,000,000 bushels are located in market positions near the United States.

Very truly yours,

(Signed) N. E. Dodd,
Director, Western Division.

Canadian grain in store in the United States, Dec. 22, 1939

Location	Wheat	Durum	Total	Year ago
Lake ports:	Bushels	Bushels	Bushels	Bushels
Duluth.....	2,689,589	-----	2,689,589	-----
Buffalo.....	3,999,000	-----	3,999,000	872,000
Buffalo afloat.....	4,055,000	-----	4,055,000	3,425,000
Erie.....	-----	25,000	25,000	1,949,000
Total, lake.....	10,743,589	25,000	10,768,589	6,246,000
Atlantic seaboard:				
New York.....	7,929,000	560,000	8,489,000	1,948,000
Albany.....	4,544,000	2,239,000	6,783,000	851,000
Philadelphia.....	2,885,000	-----	2,885,000	92,000
Boston.....	1,842,000	-----	1,842,000	-----
Baltimore.....	7,714,000	-----	7,714,000	-----
Portland.....	641,846	-----	641,846	-----
Total, seaboard.....	25,555,846	2,799,000	28,354,846	1,891,000
Total in United States.....	36,299,435	2,824,000	39,123,435	8,137,000

¹ Including 147,000 bushels afloat.

Source: Canadian Bureau of Statistics, report entitled "Canadian Grain Statistics" for week ending Dec. 22, 1939 (issued Dec. 29, 1939).

AMENDMENT OF BANKRUPTCY ACT

The Senate proceeded to consider the bill (S. 1935) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, which had been reported from the Committee on the Judiciary with amendments.

Mr. FRAZIER. Mr. President, a line was inadvertently left out of the bill when it was reported. I took up the matter with the clerk of the committee, and he suggested an amendment, on page 12, between lines 9 and 10, to insert "(d) The Conciliation Commissioner shall receive as."

Which would clarify the bill. I offer the amendment.

Mr. McKELLAR. Mr. President, will the Senator explain the bill?

Mr. FRAZIER. I shall be glad to do so. First, however, I should like to have the suggested amendment agreed to, in order to correct the misprint.

Mr. McKELLAR. Certainly.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from North Dakota is agreed to.

Mr. KING. Mr. President, the Senator is about to make an explanation of the bill. I have received a number of letters on the subject of the bill; and I shall be glad, if I may, briefly to refer to one or two of them, and then have the Senator make such explanation as he may deem proper.

Some of the letters which I have received are critical of the measure and say that under the present law a number of those who have availed themselves of the bankruptcy proceeding continue in possession of the property, though they

do not attempt to keep it in proper repair. They do not attempt to rehabilitate it so that they may finally pay the obligation and have the property back again.

Another letter states that in many instances in which the mortgagor has cattle or sheep upon the premises he fails to feed them or care for them, so that the creditor not only has to pay for the repairs upon the farm and keep it in shape because of the neglect of the mortgagor, but also has to pay very large sums in order to feed the sheep and cattle during the winter months and during the period when they must be fed from the farm or upon the farm. I should like to have the Senator answer those criticisms of the bill, so that we may at least make a reasonable showing to those who are opposed to the bill.

Mr. FRAZIER. Mr. President, the junior Senator from Nevada [Mr. McCARRAN] reported the bill, and has submitted a very excellent report in explanation of it. I think the cases mentioned by the Senator from Utah must be very extreme cases because under the act the United States district judge has full charge of the bankruptcy proceeding, and he may allow a 3-year moratorium under his direction, and if the owner of the farm does not live up to the directions of the judge the mortgage may be foreclosed and the property sold at any time. So I think those are extreme cases.

I have before me one letter which is typical of the letters I have been receiving. I have received many of them. This particular letter is from the Western Cattle Co., at Roundup, Mont., and is signed by J. C. Miller. One provision of the bill is to extend the provisions of the act. The present law expires on March 4 of this year, and the bill seeks to extend the law for 4 years to March 4, 1944. Mr. Miller says:

The Frazier-Lemke Act will expire on March 4, and I want to remind you that a great many ranchers in central Montana are anxious that the act be extended.

This act has been a lifesaver for a great many ranchers and farmers who were caught by the drought. They are still sticking to their properties in hopes of better years to come. Conditions are much improved; feed reserves are increasing; the ranges are gradually coming back; and hay is being stored ahead. Ranges are being restocked gradually, but their real-estate mortgages are due and they should have protection until some plan is worked out for putting their real-estate mortgages in better shape.

He goes on to say that he hopes the provisions of the act will be extended.

I think that letter very accurately states the situation. As stated by the junior Senator from Nevada [Mr. McCARRAN] in the report, the bill seeks to make a few amendments in the existing law to simplify and clarify the language. That is practically all it does, with the exception of extending the time for another 4-year period.

Recently there have been two Supreme Court decisions on the question. A number of United States district judges have held, in certain cases in which farmers had made application under the act, that farm conditions were so bad that they had no chance of paying out, even if they had another 3 years, and have thrown the cases out of court. Certain of those cases were taken to the Supreme Court. On December 4 Chief Justice Hughes delivered the opinion of the Supreme Court, which held that the fact that the farmer had more debts than assets was no reason why he should not be given a chance under the act, and the fact that the judge might think the farmer had no chance of paying out in the 3-year period was no reason for refusing him an opportunity. The Supreme Court reversed the decisions of the United States district judges who had held that way. So the farmer can be given an opportunity to have the 3-year moratorium and pay out. We want the time extended. It seems to me the act should be made permanent, but all we ask is a 4-year extension.

The bill also provides that the conciliation commissioners shall be appointed for a 4-year period, instead of for 1 year at a time, as is the case under the present law. The bill also cuts down the number of conciliation commissioners, so that the act will not be so expensive to administer.

I think perhaps that explanation is sufficient.

The PRESIDING OFFICER. The clerk will state the committee amendments.

The first amendment of the Committee on the Judiciary was, on page 1, line 5, after the words "is amended", to insert "to read", so as to read:

That section 75 of the act of July 1, 1898, entitled "An act to establish a uniform system of bankruptcy throughout the United States," as amended, is amended to read as follows:

The amendment was agreed to.

The next amendment was, on page 2, line 1, after the word "referees", to strike out "One such commissioner" and insert "One or more such commissioners"; in line 4, after the word "held", to strike out "In case any such division or city now has a residential referee and a conciliation commissioner is not deemed necessary, then the referee, in addition to his other duties, shall have all the powers and perform all the duties of the conciliation commissioner and shall receive the same compensation for the performance of such duties"; in line 11, after the word "years", to insert "and shall hold office until his successor is appointed and qualified"; and in line 21, after the word "specify" and the comma, to insert "including the holding of hearings", so as to read:

SEC. 75. (a) Every United States district court of bankruptcy shall appoint referees to be known as conciliation commissioners, who need not be lawyers, but must otherwise have the qualifications of referees. One or more such commissioners shall be appointed for each division or for the territory served by the city where terms of court are held.

A conciliation commissioner shall have a term of office for 4 years and shall hold office until his successor is appointed and qualified but may be removed by the court for cause. He must be a resident of the division or the territory served by the city where terms of court are held. He must be familiar with agricultural conditions and must not have been or be engaged in the farm mortgage, banking, or farm-financing business. The court, if it deems it advisable, may appoint some suitable person as supervising conciliation commissioner in each judicial district who shall have such supervising conciliation functions as the court may by order specify, including the holding of hearings.

The amendment was agreed to.

The next amendment was, on page 2, line 23, after the word "may" and the comma, to insert "at any time prior to March 4, 1944"; on page 3, line 1, after the word "schedules", to insert "in triplicate"; in line 4, after the word "court", to insert "or the leaving of it with the conciliation commissioner for filing with the clerk"; and in line 11, after the word "property" and the comma, to insert "including the sale of any of the farmer-debtor's property under the terms of any deed of trust", so as to read:

(b) A farmer-debtor who is insolvent or unable to meet his debts as they mature may, at any time prior to March 4, 1944, file a voluntary petition in bankruptcy. The petition of the farmer-debtor shall be accompanied by his schedules in triplicate and shall be filed with the clerk of the court, but the conciliation commissioner may receive same and promptly transmit it to the clerk for filing. The filing of the petition with the clerk of court or the leaving of it with the conciliation commissioner for filing with the clerk shall be notice to all persons and officials and to all Federal and State courts. It shall automatically stay all judicial or official proceedings in all Federal and State courts and shall stay all levies, executions, actions, or proceedings under the direction of any official or person against the farmer-debtor or any of his property, including the sale of any of the farmer-debtor's property under the terms of any deed of trust.

The amendment was agreed to.

The next amendment was, on page 3, after line 15, to insert "including any Federal corporation or Federal agency", so as to read:

The provisions of this section shall apply to all judicial or official proceedings in any court or under the direction of any official, and shall apply to all creditors, public or private, including any Federal corporation or Federal agency, and to all of the farmer-debtor's property, wherever located: *Provided*, That the debts having priority of payment under title 11, chapter 7, section 104, of the United States Code, for bankrupt estates, shall have priority of payment, in the same order as set forth in said section 104, under the provisions of this section, in any distribution, assignment, composition, or settlement herein provided for: *Provided further*, That nothing in this section shall affect the allowance and exemptions of farmer-debtors as are provided for bankrupts under title 11, chapter 3, section 24, of the United States Code. All such allowances and exemptions shall be set aside for the use of the farmer-debtor in the manner provided for bankrupts.

The amendment was agreed to.

The next amendment was, on page 4, line 25, after the word "within", to strike out "sixty" and insert "thirty", so as to read:

Such appraisers shall appraise all of the property of the farmer-debtor, wherever located, at its then fair and reasonable market value. The appraisals shall be made in all other respects with rights of objections, exceptions, and appeals, in accordance with this act: *Provided*, That in proceedings under this section, either party may file objections, exceptions, and take appeals within 30 days from the date that the conciliation commissioner approves the appraisal.

The amendment was agreed to.

The next amendment was, on page 5, after line 21, to insert "or the leaving of it with the conciliation commissioner for filing with the clerk", so as to read:

(d) The filing of the petition with the clerk of court, or the leaving of it with the conciliation commissioner for filing with the clerk, shall immediately subject the farmer-debtor and all his property, including contracts for purchase, contracts for deed, or conditional-sales contracts, the right or the equity of redemption or where a trust deed has been given as security, or any equity or any right in any such property, wherever located, to the exclusive and sole jurisdiction of the court.

The amendment was agreed to.

The next amendment was, on page 7, line 2, after the word "shall", to strike out "stay" and insert "enter an order continuing the stay of"; in line 5, after the word "property", to insert "of which he retains possession"; in line 10, after the word "rental", to insert "annually or"; in line 10, after the word "semiannually", to insert "as the court may direct"; in line 11, after the words "part of the", to insert "unexempt"; after line 13, to insert "granting the petition for possession and"; and, at the beginning of line 15, to insert "for 3 years"; so as to read:

(e) When the conditions set forth in this section have been complied with, the court shall enter an order continuing the stay of all judicial or official proceedings in any court, or under the direction of any official, against the farmer-debtor or any of his property of which he retains possession, for a period of 3 years. During such 3 years the farmer-debtor shall be permitted to retain possession of all or any part of his property, in the custody and under the supervision and control of the court, provided he pays a reasonable rental annually or semiannually as the court may direct for that part of the unexempt property of which he retains possession. The first payment of such rental shall be made within 1 year of the date of the order granting the petition for possession and staying proceedings for 3 years, the amount and kind of such rental to be the usual customary rental in the community where the property is located, based upon the rental value, net income, and earning capacity of the property. The provisions of this subsection are mandatory and not discretionary with the court.

The amendment was agreed to.

The next amendment was, on page 7, line 22, after the word "taxes", and the comma, to insert "insurance,"; and in line 23, after the word "property" and the comma, to insert "conciliation commissioner's fees", so as to read:

Such rental shall be paid into court, to be used, first, for the payment of taxes, insurance, and upkeep of the property, conciliation commissioner's fees, and the remainder to be distributed among the secured and unsecured creditors, and applied on their claims, as their interests may appear. The court, in its discretion, if it deems it necessary to protect the creditors from loss by the estate, or to conserve the security, may order sold any unexempt perishable property of the farmer-debtor, such as fruits, vegetables, and the products of poultry, dairy and livestock, or any unexempt personal property not reasonably necessary for the farming operations of the farmer-debtor. The court may, in addition to the rental, require payments on the principal due and owing by the farmer-debtor to the secured or unsecured creditors in accordance with the provisions of this act, and may require such payments to be made quarterly, semi-annually, or annually, not inconsistent with the protection of the rights of the creditors and the farmer-debtor's ability to pay, with a view of his financial rehabilitation.

The amendment was agreed to.

The next amendment was, on page 9, after line 14, to insert:

Any farmer who filed a petition under section 75 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended, and in whose case a bankruptcy court has, under subsection (s) thereof, granted a stay of proceedings, may, if the period for which such stay was granted has expired or is about to expire, make

application to such court for an extension of such stay. If the court finds that such farmer has substantially complied with the provisions of paragraph (2) of subsection (s) of section 75 of such act, as amended, during the period of such 3-year stay then the court may extend the period of such stay from year to year not to exceed 2 years additional stay.

The amendment was agreed to.

The next amendment was, on page 11, line 3, after the word "unsecured" to insert: "If a composition or extension of time, or both, has been approved by the court, then the court may dismiss the petition but not otherwise", so as to read:

(g) Upon notice previously given to the farmer-debtor and to all secured and unsecured creditors by the conciliation commissioner, the farmer-debtor or any creditor, at the first or any subsequent meeting of the creditors, may offer terms of composition or extension or both. The proposal thus made shall be made the basis of negotiation and it shall be the duty of the conciliation commissioner to preside and to endeavor to bring about a composition or extension of time or both in a manner that will be just and equitable to all the creditors and to the farmer-debtor. The composition shall not be less nor more than the value of the property as ascertained or established under provisions of this section; but nothing herein shall prevent the reduction of the future rate of interest on all debts of the farmer-debtor, whether secured or unsecured. If a composition or extension of time, or both, has been approved by the court, then the court may dismiss the petition but not otherwise.

The amendment was agreed to.

The next amendment was, on page 11, line 20, after the word "Act," insert: "The commissioner shall enclose with the notice a summary of the inventory, a brief statement of the farmer's indebtedness as shown by the schedules, and a list of the names and addresses of the secured and unsecured creditors, with the amounts owing to each as shown by the schedules."; on page 12, at the beginning of line 14, to strike out "\$35" and insert "\$50"; and in the same line, after the words "paid out of", to insert "the rental or", so as to read:

(h) The conciliation commissioner shall promptly call the first meeting of creditors. He shall give notice of the date and place of such meeting to the farmer-debtor and to all creditors, secured or unsecured, as provided for in this act. The commissioner shall enclose with the notice a summary of the inventory, a brief statement of the farmer's indebtedness as shown by the schedules, and a list of the names and addresses of the secured and unsecured creditors, with the amounts owing to each as shown by the schedules. At the first or subsequent meeting of the creditors the farmer-debtor may be examined, and the creditors may appoint a committee to submit to the conciliation commissioner a supplementary inventory of the farmer-debtor's estate. There shall be prepared by, or under the supervision of, the conciliation commissioner a final inventory of the farmer-debtor's estate. In the preparation of such inventory the commissioner shall give due consideration to the schedules filed by the farmer-debtor and to any supplementary inventory filed by the committee of the creditors.

(i) The conciliation commissioner shall receive as compensation for his services, a fee of \$25 for each case submitted to him, and when docketed, to be paid out of the Treasury. He shall receive such additional fees for his services as may be allowed by the court, not to exceed \$50 in any one case, to be paid out of the rental or the bankrupt's estate. The supervising conciliation commissioner shall receive as compensation for his services a per diem allowance to be fixed by the court in an amount not in excess of \$8 per day, together with subsistence and traveling expenses, in accordance with the law applicable to officers of the Department of Justice. Such compensation and expenses shall be paid out of the Treasury.

The amendment was agreed to.

The next amendment was, on page 14, line 11, after the word "section", to insert:

A farmer-debtor may, upon motion, transfer his petition from section 75 to proceedings under the general bankruptcy provisions of this act.

The amendment was agreed to.

The next amendment was, on page 15, line 5, after the word "section", to insert:

If the court in its discretion deems it best it may continue the present conciliation commissioner or referee in cases pending when this amendment becomes effective.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, may I ask the Senator from North Dakota whether or not there was any disagreement in the committee as to the bill?

Mr. FRAZIER. I am not a member of the Judiciary Committee, but I understand there was not. The bill was considered first by a subcommittee, which reported to the full committee, and then the bill was reported from the full committee by the junior Senator from Nevada [Mr. McCARRAN].

Mr. McKELLAR. May I ask the Senator whether or not the Department recommends the bill?

Mr. FRAZIER. As I remember, there was no objection from the Department in regard to any of these amendments. The Department approved the bill when it was first introduced.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 1935) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 75 of the act of July 1, 1898, entitled "An act to establish a uniform system of bankruptcy throughout the United States", as amended, is amended to read as follows:

"Sec. 75. (a) Every United States district court of bankruptcy shall appoint referees to be known as conciliation commissioners, who need not be lawyers, but must otherwise have the qualifications of referees. One or more such commissioners shall be appointed for each division or for the territory served by the city where terms of court are held.

"A conciliation commissioner shall have a term of office for 4 years and shall hold office until his successor is appointed and qualified but may be removed by the court for cause. He must be a resident of the division or the territory served by the city where terms of court are held. He must be familiar with agricultural conditions and must not have been or be engaged in the farm mortgage, banking, or farm-financing business. The court, if it deems it advisable, may appoint some suitable person as supervising conciliation commissioner in each judicial district who shall have such supervising conciliation functions as the court may by order specify, including the holding of hearings.

"(b) A farmer-debtor who is insolvent or unable to meet his debts as they mature may, at any time prior to March 4, 1944, file a voluntary petition in bankruptcy. The petition of the farmer-debtor shall be accompanied by his schedules in triplicate and shall be filed with the clerk of the court, but the conciliation commissioner may receive same and promptly transmit it to the clerk for filing. The filing of the petition with the clerk of court or the leaving of it with the conciliation commissioner for filing with the clerk shall be notice to all persons and officials and to all Federal and State courts. It shall automatically stay all judicial or official proceedings in all Federal and State courts and shall stay all levies, executions, actions, or proceedings under the direction of any official or person against the farmer-debtor or any of his property, including the sale of any of the farmer-debtor's property under the terms of any deed of trust.

"The provisions of this section shall apply to all judicial or official proceedings in any court or under the direction of any official, and shall apply to all creditors, public or private, including any Federal corporation or Federal agency, and to all of the farmer-debtor's property, wherever located: *Provided*, That the debts having priority of payment under title 11, chapter 7, section 104, of the United States Code, for bankrupt estates, shall have priority of payment, in the same order as set forth in said section 104, under the provisions of this section, in any distribution, assignment, composition, or settlement herein provided for: *Provided further*, That nothing in this section shall affect the allowance and exemptions of farmer-debtors as are provided for bankrupts under title 11, chapter 3, section 24, of the United States Code. All such allowances and exemptions shall be set aside for the use of the farmer-debtor in the manner provided for bankrupts.

"Such farmer-debtor may, at the time of filing his petition or at the time of the first or subsequent hearings, petition the court that all of his property, wherever located, whether pledged, encumbered, or unencumbered, be appraised, and that his unencumbered exemptions, and unencumbered interest or equity in his exemptions, as prescribed by State law, be set aside to him, and that he be allowed to retain possession, under the supervision and control of the court, of any part or parcel or all of the remainder of his property, including his encumbered exemptions, under the terms and conditions set forth in this section. Upon such a request being made, the conciliation commissioner, under the jurisdiction of the court, shall designate and appoint appraisers, as provided for in this act.

"Such appraisers shall appraise all of the property of the farmer-debtor, wherever located, at its then fair and reasonable market value. The appraisals shall be made in all other respects with rights of objections, exceptions, and appeals, in accordance with this act: *Provided*, That in proceedings under this section, either party may file objections, exceptions, and take appeals within 30 days from the date that the conciliation commissioner approves the appraisal.

"(c) After the value of the farmer-debtor's property shall have been fixed by the appraisal herein provided, the conciliation commissioner shall issue an order setting aside to such farmer-debtor his unencumbered exemptions, and his unencumbered interest or equity

in his exemptions, as prescribed by the State law. He shall further order that the possession, under the supervision and control of the court, of any part or parcel or all of the remainder of the farmer-debtor's property shall remain in the farmer-debtor, according with the request in the petition, subject, however, to all existing mortgages, liens, pledges, or encumbrances. All such existing mortgages, liens, pledges, or encumbrances shall remain in full force and effect, and the property, up to the value judicially ascertained or determined under the provisions of this section, covered by such mortgages, liens, pledges, or encumbrances, shall be subject to the payment of the claims of the secured creditors as their interests may appear.

"(d) The filing of the petition with the clerk of court, or the leaving of it with the conciliation commissioner for filing with the clerk, shall immediately subject the farmer-debtor and all his property, including contracts for purchase, contracts for deed, or conditional-sales contracts, the right or the equity of redemption or where a trust deed has been given as security, or any equity or any right in any such property, wherever located, to the exclusive and sole jurisdiction of the court.

"In all cases where, at the time of filing the petition, the period of redemption has not or had not expired, or where the right under a deed of trust has not or had not become absolute, or where the sale has not or had not been confirmed, or where deed had not been delivered, the period of redemption shall be extended or the confirmation of sale withheld for the period necessary for the purpose of carrying out the provisions of this section. The words 'period of redemption' wherever they occur in this section shall include any State moratorium, whether established by legislative enactment or executive proclamation, or where the period of redemption has been extended by a judicial decree.

"In proceedings under this section, except as otherwise provided herein, the jurisdiction and powers of the courts, the title, powers, and duties of its officers, the duties of the farmer-debtor, and the rights and liabilities of all creditors, and of all persons with respect to the property of the farmer-debtor and the jurisdiction of the appellate courts, shall be the same as if a decree of adjudication had been entered under other provisions of this act.

"(e) When the conditions set forth in this section have been complied with, the court shall enter an order continuing the stay of all judicial or official proceedings in any court, or under the direction of any official, against the farmer-debtor or any of his property of which he retains possession, for a period of 3 years. During such 3 years the farmer-debtor shall be permitted to retain possession of all or any part of his property, in the custody and under the supervision and control of the court, provided he pays a reasonable rental annually or semiannually as the court may direct for that part of the unexempt property of which he retains possession. The first payment of such rental shall be made within 1 year of the date of the order granting the petition for possession and staying proceedings for 3 years, the amount and kind of such rental to be the usual customary rental in the community where the property is located, based upon the rental value, net income, and earning capacity of the property. The provisions of this subsection are mandatory and not discretionary with the court.

"Such rental shall be paid into court, to be used, first, for the payment of taxes, insurance, and upkeep of the property, conciliation commissioner's fees, and the remainder to be distributed among the secured and unsecured creditors, and applied on their claims, as their interests may appear. The court, in its discretion, if it deems it necessary to protect the creditors from loss by the estate, or to conserve the security, may order sold any unexempt perishable property of the farmer-debtor, such as fruits, vegetables, and the products of poultry, dairy, and livestock, or any unexempt personal property not reasonably necessary for the farming operations of the farmer-debtor. The court may, in addition to the rental, require payments on the principal due and owing by the farmer-debtor to the secured or unsecured creditors in accordance with the provisions of this act, and may require such payments to be made quarterly, semiannually, or annually, not inconsistent with the protection of the rights of the creditors and the farmer-debtor's ability to pay, with a view of his financial rehabilitation.

"(f) At the end of 3 years, or prior thereto, if he so desires, the farmer-debtor may pay into court the amount of the appraised value of the property of which he retains possession, including the amount of encumbrances on his exemptions, up to the amount of the appraised value, less any amount paid on principal: *Provided*, That upon request of any secured or unsecured creditor, or upon request of the farmer-debtor, the court shall cause a reappraisal of the farmer-debtor's property, or in its discretion set a date for hearing, and after such hearing, fix the value of the property, in accordance with the evidence submitted: *Provided, however*, That upon request in writing by any creditor the court shall proceed to ascertain the value of the property by trial the same as in condemnation proceedings.

"The farmer-debtor shall then have 90 days within which to pay the value so determined by the court, together with 5 percent per annum interest, into court, less any payments made on the principal, for distribution to all secured and unsecured creditors as their interests may appear. He may, at the same time, apply for his discharge as provided for in this act. Thereupon the court shall by an order turn over full and complete possession and title of such property, free and clear of any and all encumbrances, to the farmer-debtor and grant his discharge.

"Any farmer who filed a petition under section 75 of the act entitled 'An act to establish a uniform system of bankruptcy

throughout the United States', approved July 1, 1898, as amended, and in whose case a bankruptcy court has, under subsection (s) thereof, granted a stay of proceedings may, if the period for which such stay was granted has expired or is about to expire, make application to such court for an extension of such stay. If the court finds that such farmer has substantially complied with the provisions of paragraph (2) of subsection (s) of section 75 of such act, as amended, during the period of such 3-year stay, then the court may extend the period of such stay from year to year not to exceed 2 years' additional stay.

"If, however, the farmer-debtor at any time fails to comply with the provisions of this section, or with any lawful orders of the court made pursuant to this section, or is unable to refinance himself within 3 years, the court may then order the appointment of a trustee, and order the property sold or otherwise disposed of as otherwise provided for in bankruptcy proceedings in this act. But except as otherwise herein provided, the court shall not dismiss the proceeding without complete liquidation and discharge of the farmer-debtor.

"(g) Upon notice previously given to the farmer-debtor and to all secured and unsecured creditors by the conciliation commissioner, the farmer-debtor or any creditor, at the first or any subsequent meeting of the creditors, may offer terms of composition or extension, or both. The proposal thus made shall be made the basis of negotiation and it shall be the duty of the conciliation commissioner to preside and to endeavor to bring about a composition or extension of time, or both, in a manner that will be just and equitable to all the creditors and to the farmer-debtor. The composition shall not be less nor more than the value of the property as ascertained or established under provisions of this section, but nothing herein shall prevent the reduction of the future rate of interest on all debts of the farmer-debtor, whether secured or unsecured. If a composition or extension of time, or both, has been approved by the court, then the court may dismiss the petition, but not otherwise.

"When a composition or extension proposal has been accepted in writing, by the farmer-debtor and by a majority in number of all the creditors whose claims have been allowed, including secured creditors whose claims are affected, which number shall represent a majority and amount of such claims, then the court shall confirm the proposal if satisfied that it includes an equitable and feasible method of liquidation for secured creditors and of financial rehabilitation for the farmer-debtor and is for the best interest of all the creditors. And the court shall then dismiss the petition but not otherwise.

"(h) The conciliation commissioner shall promptly call the first meeting of creditors. He shall give notice of the date and place of such meeting to the farmer-debtor and to all creditors, secured or unsecured, as provided for in this act. The commissioner shall enclose with the notice a summary of the inventory, a brief statement of the farmer's indebtedness as shown by the schedules, and a list of the names and addresses of the secured and unsecured creditors, with the amounts owing to each as shown by the schedules. At the first or subsequent meeting of the creditors the farmer-debtor may be examined, and the creditors may appoint a committee to submit to the conciliation commissioner a supplementary inventory of the farmer-debtor's estate. There shall be prepared by, or under the supervision of, the conciliation commissioner a final inventory of the farmer-debtor's estate. In the preparation of such inventory the commissioner shall give due consideration to the schedules filed by the farmer-debtor and to any supplementary inventory filed by the committee of the creditors.

"(i) The conciliation commissioner shall receive as compensation for his services a fee of \$25 for each case submitted to him, and when docketed, to be paid out of the Treasury. He shall receive such additional fees for his services as may be allowed by the court, not to exceed \$50 in any one case, to be paid out of the rental or the bankrupt's estate. The supervising conciliation commissioner shall receive as compensation for his services a per diem allowance to be fixed by the court in an amount not in excess of \$8 per day, together with subsistence and traveling expenses, in accordance with the law applicable to officers of the Department of Justice. Such compensation and expenses shall be paid out of the Treasury.

"The conciliation commissioner may accept and avail himself of office space, equipment, and assistance furnished him by other Federal officials, or by any State, county, or public official. He shall be entitled to transmit in the mails, free of postage, under cover of a penalty envelope, all matters which relate exclusively to the business of the courts, including notices to creditors.

"(j) For the purposes of this section, section 4 (b), and section 74, the term 'farmer-debtor' includes not only an individual who is primarily bona fide personally engaged in producing products of the soil, but also any individual who is primarily bona fide personally engaged in dairy farming, the production of poultry or livestock, or the production of poultry products or livestock products in their unmanufactured state, or the principal part of whose income is derived from any one or more of the foregoing operations, and includes the personal representative of a deceased farmer-debtor; and a farmer-debtor shall be deemed a resident of any country in which such operations occur. The word 'act' wherever it occurs in this section shall mean the General Bankruptcy Act, as amended, and the word 'section' means section 75 of the act as herein amended.

"(k) The provisions of this section shall be held to apply also to partnerships, common, entirety, joint, community ownerships, or

to farming corporations where at least 65 percent of the stock is owned by actual farmer-debtors, and any such parties may join in one petition. It shall also apply to all cases now pending in any Federal or State court; and all cases that have been dismissed by any conciliation commissioner, referee, or court shall be promptly reinstated without any additional filing fees or charges: *Provided*, That the farmer-debtor at the time of his application for reinstatement has not been completely divested of all his interest or equity in or title to or in any or all of his property. Any farmer-debtor who has filed under the General Bankruptcy Act may take advantage of this section upon written request to the court; and a previous discharge of the farmer-debtor under any other section of this act shall not be ground for denying him the benefits of this section. A farmer-debtor may, upon motion, transfer his petition from section 75 to proceedings under the general bankruptcy provisions of this act.

"(l) Upon filing of any petition by a farmer-debtor under this section there shall be paid a fee of \$10, to be transmitted to the clerk of the court and covered into the Treasury. No additional fees or cost of administration or supervision of any kind shall be charged to, or exacted from, the farmer-debtor, but all such additional filing fees or cost of administration or supervision shall be charged against the bankrupt's estate.

"(m) The Supreme Court is authorized to make such general orders as it finds necessary properly to govern the administration of the office of conciliation commissioner and proceedings under this section. Until such general orders are made the district courts shall follow the general orders previously made for procedure under this section. In regard to procedure the provisions of the General Bankruptcy Act shall apply as far as they are applicable to this section. If the court in its discretion deems it best it may continue the present conciliation commissioner or referee in cases pending when this amendment becomes effective."

EXEMPTION OF CERTAIN INDIAN TRIBES FROM WHEELER-HOWARD ACT

The Senate proceeded to consider the bill (S. 2103) to repeal the act entitled "An act to conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes," approved June 18, 1934, and the act of June 15, 1935, supplementary thereto, which had been reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause and insert:

That section 13 of the act entitled "An act to conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes," approved June 18, 1934, as amended, is amended by adding at the end thereof the following new paragraph:

"None of the provisions of this act shall apply to (1) any Indian tribe on the Standing Rock Reservation located in the States of North and South Dakota; (2) the Pine Ridge Sioux Tribe of Indians of the State of South Dakota; (3) the Cheyenne River Sioux Tribe of Indians of the State of South Dakota; (4) the Yankton Sioux Tribe of Indians, of the Rosebud Agency of the State of South Dakota; (5) any Indian on any reservation or any Indian tribe or group, located in the State of Nevada; (6) the Eastern Band of Cherokee Indians located in the State of North Carolina; (7) any Indian tribe, band, or group, located in the State of California; (8) any Indian or Indian tribe on the Colorado River Indian Reservation of the State of Arizona; or (9) the Navaho tribe located in the State of New Mexico."

Mr. BARKLEY. Mr. President, may we have an explanation of the bill?

Mr. FRAZIER. Mr. President, this proposes to amend the so-called Wheeler-Howard Act, which was sponsored by the Indian Bureau of the Department of the Interior, and was designed to set up certain regulations under which the Indians should conduct their reservations. It practically puts the Indians back into the condition which prevailed under their old tribal forms of government which were in vogue a generation or two ago. There has been a great deal of objection to the law. The Indians on several reservations, including the ones proposed by the bill to be excepted, have voted on the question several times, some of them three or four times. On the Standing Rock Reservation in North and South Dakota the Indians have had the question put up to them three times, and last fall a fourth time, and it was voted down the fourth time. The Indians in question do not want to be bothered with it any more; they want to be exempted.

The Indians on some of the reservations in South Dakota and some in the Southwest, in which the Senator from New Mexico is interested, have asked to be exempted. All the bill seeks to do is to exempt certain tribes from the provisions of the Wheeler-Howard Act. Personally, I think the whole act should be repealed, by all odds, but we have not been able to do that up to date. I can see no objection, however, to exempting the particular reservations which have asked to be exempted and which are very much interested in making sure that they shall not be brought under the operations of the present law.

Mr. KING. Mr. President, will the Senator yield?

Mr. FRAZIER. I yield.

Mr. KING. In the report of the Secretary of the Interior, Hon. Harold Ickes, after giving a number of reasons for his position, made the statement:

For the foregoing reasons, I recommend that S. 626 be not enacted.

Apparently the Secretary of the Interior, who has charge of such matters, is not in favor of the bill.

Mr. FRAZIER. The Department is very strongly in favor of the present law, of course; that is perfectly true, but from the testimony we have had before the committee the Indians are not satisfied with it. I do not think they are satisfied with it at any place.

Mr. CHAVEZ. Mr. President, of course, I only speak for the Navajo Indians in my State, but the Navajo Indians of New Mexico are against the Wheeler-Howard Act. They have, in accordance with the methods provided by the law, taken action regarding the Wheeler-Howard Act and have decided against it.

Not only that, but since the first election was held by Indians with reference to the Wheeler-Howard Act—

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. McKELLAR. All this bill proposes to do is merely to permit certain tribes of Indians, including the Navajos, to be exempted from the terms of the so-called Wheeler-Howard Act.

Mr. CHAVEZ. Yes; for the reason that, notwithstanding the Indians have voted against the Wheeler-Howard Act, attempts are being made by the Indian Bureau to carry it out. The Indians do not want the law and feel that they should be able to handle their own affairs.

Since the first election the Navajo Tribe in New Mexico have had other elections which have indicated that they are now more overwhelmingly against the Wheeler-Howard Act than they previously were.

Mr. KING. Mr. President, will the Senator yield?

Mr. CHAVEZ. Yes.

Mr. KING. A committee has been appointed by the Department of Justice for the consideration of a number of so-called Indian bills, and a committee of the Senate is making some examination of several bills relating to Indian matters which have been brought to the attention of Congress. That committee will meet within a short time and make a report, I hope, so that the bills pending may be speedily acted upon. I should be glad, without making any formal objection, if the Senator will not press action on the pending bill today, so that when the committee meets in a few days it may determine what course to pursue in respect to all these bills.

Mr. CHAVEZ. I may say to the Senator from Utah that the only reason this bill is being pressed at this particular time is that the Indians actually need relief from the Congress.

The only place they can get any relief whatsoever is from the Congress of the United States. It is impossible for a poor Indian in my State or in the Senator's State or in any other State to get any relief or help whatsoever from the Department in Washington. I know, so far as New Mexico is concerned, that the Navaho Indians do not want to be subject to the Wheeler-Howard Act. They have expressed their opinion by the method provided by law. They are against

it, and want to continue to conduct their affairs in their own way.

What the Senator from North Dakota [Mr. FRAZIER] said a little while ago, to the effect that naturally the Bureau of Indian Affairs would want the Indians to continue under the Wheeler-Howard Act, is correct, because it is Washington that is now dominating the affairs of the Indians. We who are members of the Committee on Indian Affairs know that the conditions are very pathetic. So the Indians are asking the only proper body that can give any relief to the Indians whatsoever to afford such relief.

The situation, so far as the Indians are concerned, is that under the Wheeler-Howard Act they would be placed back in the condition which existed practically 400 years ago. The Indians, I may say, in some respects are not different from Senators or other Americans. I happen to represent quite a number of Indians. They do not vote in my State; I am not interested in their vote, but I am interested in their welfare; and they have put the proposition up to me exactly as any other citizen would do. The Indians want to be left alone by the Bureau at Washington; they want to work out their own salvation, as do the white men of Kentucky, the white men of Virginia, and the white men of New Mexico. They want to be left alone and to be allowed to solve their own problems.

I have had Indians in my State come to me and, through an interpreter, place before me their problem as a white man would do. They say: "Senator, I am an Indian; I cannot speak English, and I cannot speak the other language of New Mexico"—which is Spanish. "I am an Indian, but I belong to this country. I have worked very hard. I freeze in the winter; I melt in the summer. I have 100 cows. The Indian Bureau says I can only have 10 cows. If I work hard, if I freeze in winter, if I melt in summer, why can I not have a hundred cows like the white man can have?" Is not that what we are all working for? Is not that an American ambition? Is not that an American way of doing good?

The trouble with the Indian right now is too much Washington. All this bill provides for is that those Indians who do not want to come in under the Wheeler-Howard Act, and who have voted on it according to the law, may be exempted from having the Indian Bureau in Washington try to enforce that law against them. Would the white men in Kentucky stand for such a law? Would they stand for it in Tennessee? Would they stand for it in Utah? No; let us treat the Indians as human beings and as part of American institutions.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. CHAVEZ. Yes.

Mr. McKELLAR. I merely want to say the Senator has converted me entirely.

Mr. KING. Mr. President, the Senator from Tennessee is not easily converted, and so, obviously, the speech of the Senator from New Mexico is a very persuasive one; but, in view of the fact that we have asked to have go over all so-called Indian bills on the calendar, I shall ask that this bill go over.

I should like, however, to make one observation in reply to my friend from New Mexico. I am not satisfied, I will say very frankly, with the activities of the Indian Bureau. A few years ago, as the Senator will recall, an investigation was conducted of the Indian Bureau. We found large and wasteful expenditures, and it was determined that there should be a reduction in the expenditures of the Indian Bureau and changes of some of its practices.

Mr. CHAVEZ. May I interrupt the Senator at that particular point—

Mr. KING. Let me complete the sentence.

Mr. CHAVEZ. Very well.

Mr. KING. But since then the expenditures have been increased until, as I now recall, they are approximately \$37,000,000 per annum, not including some gratuities. I have not been satisfied with the administration of the present organization in the Interior Department that controls the Indians. The expenditures have increased, the number of

employees has increased, and the personnel is entirely too large. My information is that the Indians have not profited by some of the activities of the present Indian Bureau.

Mr. CHAVEZ. May I say to the Senator from Utah that I am for the Indian.

Mr. KING. So am I.

Mr. CHAVEZ. I am for the Indian because he is an American, and I know that the Indian will never get a square deal except from one body, and that is from the Congress of the United States. The expenses of the Indian Bureau have gone up from \$24,000,000 in 1933 to approximately \$37,000,000 this year, but not for the Indians. In the Navajo Reservation, in my State, to which I have referred, up to 1937 the Indian Bureau spent \$15,000,000, but not for the Indians.

They put up a \$2,000,000 capitol at Window Rock, right across the line from the State of New Mexico, where they built many houses equipped with radios and furnished with all of the modern equipment that makes for comfort, but not for the Indian. They provided heat, but not for the Indian. They provided jobs, but not for the Indian. Out of 1,200 employees of the Indian Office in the Navajo Reservation there were not 100 Indians, and the ones who were working there were those who were handling the menial jobs. The rest of the employees were long-haired boys from New Jersey and New York and elsewhere whom Mr. Collier sent over there. I am willing that Congress work for the Indian, but not for the Indian Office.

Mr. McKELLAR. Mr. President, may I interrupt the Senator?

Mr. CHAVEZ. Yes.

Mr. McKELLAR. Under the circumstances that the Senator from New Mexico has just related, will he be good enough to come before the Appropriations Committee when the Interior Department appropriation bill is considered? I should like to give him a special invitation to be present at that time, and I think he can be of service.

Mr. CHAVEZ. I have been hoping that the day may come when I shall belong to the subcommittee of the Committee on Appropriations handling the Interior Department bill.

Mr. McKELLAR. I want the Senator to come before that subcommittee this time.

Mr. CHAVEZ. I thank the Senator.

Mr. KING. Mr. President, I agree with most of what my friend from New Mexico has said; and I sympathize with the Indians. Let me say that for years I was a volunteer attorney for the Indians in my State. I defended them, tried their lawsuits, and never obtained a penny from them, because I was interested in the preservation of the Indians. I have been dissatisfied with the present administration of their affairs, and I have condemned it. I hope the investigation which is being made will furnish us information which will enable us to effect some radical changes in the Indian Office.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. KING. I yield to the Senator from Kentucky.

Mr. BARKLEY. The Senator has referred to the fact that this is an Indian bill, and has asked, together with other Indian bills, that it go over. Are all the Indian bills on the calendar of the same type?

Mr. KING. No.

Mr. BARKLEY. Why should one bill go over because others have gone over? Why can we not dispose of a bill of this sort on its own merits?

Mr. KING. Because some legal questions are involved, and we have asked that all of them go over, and I should not feel like discriminating. I ask that this bill go over.

Mr. CHAVEZ. May I interrupt the Senator for just one moment?

Mr. KING. Certainly.

Mr. CHAVEZ. I am willing to comply with the wishes of the Senator from Utah. His request is perfectly satisfactory; but what I want to impress upon the Senator from Utah is this: If he desires the bill to go over, it is perfectly satis-

factory to me; but I want the Senator from Utah to keep in mind the fact that if the Indian is to get relief of any kind it will have to be done by Congress, and not by the Bureau in Washington.

Mr. KING. Mr. President, the Senator is a member of the Indian Affairs Committee, is he not?

Mr. CHAVEZ. I am.

Mr. KING. I am not, though I have given some attention to the work of the committee and to the activities of the Indian Bureau. Several years ago I joined in an investigation of some of the activities of the Indian Bureau. I sincerely hope the Senator from New Mexico will bring his splendid ability to bear in securing legislation which will remedy some of the evils complained of and secure legislation which will be advantageous to the Indians.

Mr. CHAVEZ. The Indian Affairs Committee, after extensive hearings, has reported a piece of legislation which it feels will bring relief to the Indians. Let me call the attention of the Senator from Utah to some of the things the Indian Affairs Committee found out.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield to the Senator from Oregon.

Mr. McNARY. I do not wish to make the point until the Senator shall have concluded; but then I shall ask for the regular order.

Mr. CHAVEZ. I thank the Senator. I shall not delay the Senate very long.

Let me call the attention of the Senator from Utah to the report of the Committee on Indian Affairs, which tried to do something for the Indian:

A summary of the evidence in various forms brought to the attention of your committee seems to reveal the following—

That is the committee which the Senator says should suggest legislation for the benefit of the Indians—

1. Four campaigns have been staged on the reservations—

That is, the reservations which are referred to in this bill—

by the Bureau of Indian Affairs, relative to the said act, viz: (a) Campaign to secure Indian approval of the pending bill in 1934; (b) campaign to secure Indian acceptance of the act itself, in elections held for that purpose; (c) campaign to secure Indian acceptance of a constitution in elections held for that purpose; (d) campaign to secure Indian acceptance of a charter in the elections held in those places where both the act and the constitution had been accepted.

2. Witnesses supporting the bills for repeal of the act were unanimous in their statements that unjustifiable amounts of Federal appropriations for the Indian Bureau were used to conduct these four campaigns.

In my particular State over 800 automobiles and over 750 trucks that belong to the Indian Bureau, and are used by that Bureau, were used against the poor, ignorant Navahos in order to try to prevail; and, notwithstanding that fact, they said "No." Now, should Congress say "Yes" because the Indian Office in Washington says, "What we say is good for you, Mr. Indian, notwithstanding that under a law passed by Congress, under which the Indian was to accept or reject our proposal, he has said 'No.'?"

Every Indian agent, every Indian employee in the Navaho Reservation, did his utmost to prevail against what was ultimately decided by the Indians. Some of the Indians had to borrow gasoline to go out among their people. I know one particular Indian, a missionary Navaho Indian by the name of Jake Morgan, at Farmington, who sometimes had to borrow 50 cents to buy gasoline so that he could go among his people. They cleaned up the Indian Office and the Indians said "No." What other expression can these poor people have in order to inform Congress as to what their desires may be?

I thank the Senate.

Mr. THOMAS of Oklahoma. Mr. President, as chairman of the Committee on Indian Affairs, I ask permission to proceed for a few moments on the question now being discussed.

The PRESIDING OFFICER (Mr. Lucas in the chair). Is there objection to the request of the Senator from Oklahoma? The Chair hears none.

Mr. THOMAS of Oklahoma. Mr. President, the Senate is now acting under an assumed rule which in reality does not exist. The rules of this body provide for a method of handling the business of the Senate. The method is that bills shall be referred to standing committees and considered by such committees, and such bills as are favored shall be reported by the committees, whereupon they take their places upon the calendar and are considered by the Senate according to the rules of the Senate.

We are now operating under a new and special practice, as follows: A Member of the Senate, the distinguished senior Senator from Utah [Mr. KING], has taken it upon himself to refer all Indian bills to the Department of Justice, presumably for a study and a report. This practice has persisted now for a year, and for a year no bill reported by the Committee on Indian Affairs, so far as I remember, has been favorably considered by the Senate. It is presumed that these bills, when referred to the Department of Justice, are, by the Attorney General, referred to some appointee in such Department. If so, he is not an elected official. He is some appointee in the Department of Justice occupying an office or room somewhere in that gigantic building down on Pennsylvania and Constitution Avenues. Who that official is I do not know. The Senate does not know. If we ever receive a report—we have waited a year for a report and have had none—it will be a report of some official appointed probably from some State which contains no Indians, and probably from some State that has no sympathy with the problems of the Indians; and when that report comes before this body, if it ever does, I ask the Senate, What credence and what importance should we give it?

I have seen no report, and as things are now going I have no hope of ever seeing such a report. I have been promised from time to time—and the Senate has been promised from time to time—that “within the next few days, certainly within a week or two,” a report would be forthcoming; but no report has been forthcoming, and we now have no report.

I do not complain. The distinguished Senator from Utah is acting within his prerogatives in holding up these bills during times when the Senate is considering bills on the calendar by unanimous consent. I concede that his motives are of the highest. I know that Indian bills, as well as other bills, have been enacted in the past by the Congress without, perhaps, the consideration which their importance justified.

Mr. President, again stating that I have no objection to the procedure which has been taken, because it is within the purview of any Senator to hold up a bill, and accepting the statement made by the distinguished senior Senator from Utah today that there will be a report in the near future, I shall be patient a little while longer; but before long, if the report is not forthcoming, the time will come when I shall ask the Senate to take action upon these bills of great importance to many of the citizens of the United States.

Mr. KING. Mr. President, I am very much interested in these bills, because there are Indians in my State, and they have claims against the Government. What I have done is merely to ask the Department, at their request, to furnish us adequate information so that the Indians may be protected and the interests of the Government not overlooked.

There are now claims pending against the Government amounting to over three billion and a half dollars, I am advised by various departments. I had hoped we could get adequate information so that these bills could all be disposed of promptly, that all the facts might be presented in a report so that there would be no necessity of prolonging discussion in the Senate, but that we could take up the meritorious cases and dispose of them immediately. I suggested a hearing, and Mr. Grorud suggested that he desired a hearing early in February. I was ready to have the hearing immediately, and I stated to Mr. Grorud that that would be satisfactory, and I am sure the report will be made early in February and I shall be glad if it is made before that time.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

JOINT RESOLUTION PASSED OVER

The joint resolution (H. J. Res. 367) to authorize the Secretaries of War and of the Navy to assist the governments of American republics to increase their military and naval establishments, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over! Over!

The PRESIDING OFFICER. The joint resolution will be passed over.

AMENDMENT OF CANAL ZONE CODE

The bill (H. R. 5584) to amend the Canal Zone Code, was announced as next in order.

Mr. McKELLAR. Over.

Mr. CLARK of Missouri. Mr. President, I ask that this bill be recommitted to the Committee on Inter-oceanic Canals. Certain additional statements have been furnished by the Post Office Department which were not filed before the report on the bill was submitted by the committee.

The PRESIDING OFFICER. Without objection, the bill is recommitted to the Committee on Inter-oceanic Canals.

RESOLUTIONS PASSED OVER

The resolution (S. Res. 174) for an investigation of negotiations by American citizens with the Mexican Government concerning certain oil sales, was announced as next in order.

Mr. AUSTIN. Let the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

The resolution (S. Res. 177) authorizing an investigation of negotiations by American citizens or officials with the Mexican Government concerning certain oil sales, was announced as next in order.

Mr. BARKLEY. Let that resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

PAYMENT OF COMPENSATION TO RECESS APPOINTEES

The bill (S. 2773) to authorize the payment of compensation to recess appointees in certain cases, was announced as next in order.

Mr. McNARY. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. DANAHER subsequently said: Mr. President, may I ask whoever objected to order of business 1124, Senate bill 2773, to state the ground of his objection?

Mr. McNARY. Mr. President, I objected to the consideration of the bill, because I did not see anyone in the Chamber to sponsor the bill, and I wanted a statement made with respect to it. I shall be very happy to withdraw my objection if the Senator is prepared to disclose the nature of the bill.

Mr. KING. Let the bill go over.

Mr. DANAHER. Perhaps it had better go over, although I can explain it to the Senate, I am sure. The bill ought to be passed.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

KING'S CANYON NATIONAL PARK

The bill (H. R. 3794) to establish the King's Canyon National Park, Calif., to transfer thereto the lands now included in the General Grant National Park, and for other purposes, was announced as next in order.

Mr. BARKLEY. Mr. President, the senior Senator from Nevada [Mr. PITTMAN], when this bill was reached at the last call of the calendar, had intended to make a statement about it, but he was presiding at the time and could not do so. He has asked me to say for him now that he has been called from the Chamber today on important business and is not able to be present, but that when there is another call of the calendar he contemplates making a statement about the matter which will probably clear up the situation with respect to the bill. For this reason I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

INVESTIGATION OF CONDITIONS IN PUERTO RICO

The concurrent resolution (S. Con. Res. 18) providing for an investigation of the social, economic, and industrial conditions in Puerto Rico, was announced as next in order.

Mr. McNARY. Mr. President, I should like to have the nature of the concurrent resolution disclosed before we act on it.

Mr. KING. Mr. President, I was requested to offer this measure at the last session of Congress. There has been a change in the administration in Puerto Rico. Admiral Leahy, who is now the Governor, is in Washington, and I suggested to him a few days ago that before his departure he confer with the Committee on Territories and Insular Affairs, which has jurisdiction of the subject, and give us his views respecting matters in Puerto Rico, which may dispense with the necessity of adopting this concurrent resolution. I therefore ask that the concurrent resolution go over.

The PRESIDING OFFICER. Objection being heard, the concurrent resolution will be passed over.

RESOLUTION AND BILLS PASSED OVER

The resolution (S. Res. 168) providing for an investigation of the immigration of aliens into the United States, was announced as next in order.

Mr. THOMAS of Oklahoma. Let the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 282) to provide that State employees employed in connection with programs carried on with the assistance of the Federal Government be selected in accordance with a nonpolitical civil-service plan was announced as next in order.

Mr. MINTON. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7050) for the relief of certain former disbursing officers for the Civil Works Administration was announced as next in order.

Mr. KING. Let us have an explanation.

Mr. McKELLAR. I ask that the bill go over.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

The bill (S. 1450) to provide funds for cooperation with school district No. 13, Froid, Mont., for extension of public-school buildings to be available to Indian children was announced as next in order.

Mr. McKELLAR. May we have an explanation of the bill? If not, let it go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2523) to provide for the construction, extension, equipment, and improvement of public-school facilities at McCurtain, Okla., Haskell County, was announced as next in order.

Mr. McKELLAR. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1671) to provide for the construction, extension, and improvement of public-school buildings in Uintah County, Utah, was announced as next in order.

Mr. McKELLAR. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 5138) to make unlawful attempts to interfere with the discipline of the Army, the Navy, and the Coast Guard; to require the deportation of certain classes of aliens; to require the fingerprinting of aliens seeking to enter the United States; and for other purposes was announced as next in order.

SEVERAL SENATORS. Over! Over!

Mr. DANAHER. Mr. President, I think this bill should be recommitted to the Committee on the Judiciary. It was so voted at the regular meeting on Monday.

Mr. MINTON. Mr. President, has the Senator from Texas been consulted about the matter?

Mr. DANAHER. Mr. President, less than 15 minutes ago I discussed the matter with the Senator from Texas. He intended to make the motion but has been called from the Chamber for the time being.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut? The Chair hears none and the bill will be recommitted to the Committee on the Judiciary.

RULES FOR THE UNITED STATES DISTRICT COURT FOR PUERTO RICO

The Senate proceeded to consider the bill (H. R. 4532) to make effective in the District Court of the United States for Puerto Rico rules promulgated by the Supreme Court of the United States, governing pleading, practice, and procedure in the district courts of the United States, which had been reported from the Committee on the Judiciary with an amendment, on page 2, after line 6, to insert the following new section:

SEC. 2. This act shall become effective March 1, 1940.

So as to make the bill read:

Be it enacted, etc., That a new section be inserted in the act entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917 (39 Stat. 951), as amended, immediately following section 49 thereof, to read as follows:

"49a. That the rules heretofore or hereafter promulgated and made effective by the Supreme Court of the United States under authority of the act approved June 19, 1934 (48 Stat. 1064; U. S. C., title 28, secs. 723b, 723c), or under authority of any other statute, regulating the forms of process, writs and motions, and the pleadings, practice, and procedure, in actions of a civil nature in the district courts of the United States, and regulating appeals therefrom, shall apply to the District Court of the United States for Puerto Rico and to appeals therefrom."

SEC. 2. This act shall become effective March 1, 1940.

Mr. McKELLAR. Mr. President, may we have an explanation?

Mr. KING. Mr. President, the bill merely makes applicable to the Federal court in Puerto Rico the rules which were made applicable by act of Congress recently to the various Federal courts throughout the United States.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 7293) to amend section 355 of the Revised Statutes, as amended, to make permissive the acquisition of legislative jurisdiction over land or interests in land acquired by the United States was announced as next in order.

Mr. McNARY. Mr. President, I should like to have an explanation of the bill. In the absence of an explanation, I ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

WILMOT NATIONAL GUARD TARGET RANGE, ARIZONA

The Senate proceeded to consider the bill (S. 2122) to authorize the sale of the Wilmot National Guard target range, Arizona, which had been reported from the Committee on Military Affairs with an amendment, on page 1, line 4, to strike out the word "as" and to insert the word "at," so as to make the bill read:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to sell at public sale, after such advertisement and under such regulations as he may prescribe, the Wilmot National Guard target range, consisting of sections 1 and 12, township 15 south, range 14 east, Gila and Salt River base and meridian, Arizona, and to utilize the proceeds of such sale for the construction of necessary improvements at the National Guard camp located at Flagstaff, Ariz.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES H. LEGAY

The bill (H. R. 3931) for the relief of Charles H. LeGay was considered, ordered to a third reading, read the third time, and passed.

HAROLD W. KINDERMAN

The bill (S. 2782) for the relief of Harold W. Kinderman, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President of the United States be, and is hereby, authorized to summon Harold W. Kinderman, a major, United States Army, retired, before a retiring board, to inquire whether at the time of his retirement under act of July 31, 1935, as amended, he was incapacitated for active service, and whether such

incapacity was a result of an incidence of service, and if, as a result of such inquiry, it is found that he was so incapacitated, the President is authorized to nominate and appoint, by and with the consent of the Senate, the said Harold W. Kinderman, a major in the Medical Corps of the Regular Army, setting aside his retirement under act of July 31, 1935, and immediately thereafter place him upon the retired list of the Regular Army, for physical disability incurred in line of duty, and said retirement shall be held and considered to have taken place on December 31, 1936 (the date of his retirement under act of July 31, 1935), and he shall receive the full retired pay and allowances of an officer of his grade from December 31, 1936 (the date of his separation from active duty): *Provided*, That the amount of the retired pay already received by him since December 31, 1936, shall be deducted from the amount due him under this act.

The PRESIDING OFFICER. That completes the calendar.

LEGISLATIVE JURISDICTION OVER LAND ACQUIRED BY THE UNITED STATES

Mr. BYRD. Mr. President, I inquire who objected to calendar No. 1192, House bill 7293?

Mr. McNARY. Mr. President, I objected to that because I wanted an explanation. If there is one available and ready, I should be very happy to listen to it.

Mr. BYRD. Mr. President, this bill has the endorsement of the Attorney General and the endorsement of the Federal Works Agency. As I understand, at the present time the consent of the legislature of a State in which land or sites are situated must be obtained before the expenditure of public moneys is permitted upon sites for buildings, unless the Federal Government has exclusive jurisdiction over the property. That conflicts with the laws of certain States. The Attorney General, in his letter of July 28, 1939, to the chairman of the House Committee on Public Buildings and Grounds, makes this statement:

The bill proposes to eliminate the provision contained in section 355 of the Revised Statutes that the consent of the legislature of the State in which the land or site is situated must be obtained before the expenditure of public moneys is permitted upon sites for buildings. This provision, over a long period of years, has been interpreted to require that such consent be given as will vest in the United States exclusive jurisdiction within the meaning of article I, section 3, clause 17, of the Constitution. The bill also proposes to provide specifically that exclusive jurisdiction over sites for buildings shall no longer be required and that the head or other authorized officer of a department or independent establishment or agency having control or custody of the land shall be given discretion to obtain such jurisdiction, exclusive or partial, as he may deem desirable. It would require that the acceptance of the consent to or cession of jurisdiction by the State legislature be made by filing a notice of acceptance with the Governor of the State or in such other manner as may be prescribed by the laws of the State.

The bill merely provides that the Attorney General may make agreements with certain States as to certain land or sites where the Federal Government would not have exclusive jurisdiction.

Mr. McNARY. Mr. President, I respect the able Senator's judgment and withdraw my objection.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 7293) to amend section 355 of the Revised Statutes, as amended, to make permissive the acquisition of legislative jurisdiction over land or interests in land acquired by the United States, which was ordered to a third reading, read the third time, and passed.

STATEMENT OF SENATOR McNARY REGARDING AMENDMENTS TO SOCIAL SECURITY ACT

Mr. AUSTIN. Mr. President, I ask unanimous consent to have printed in the RECORD at this place, in connection with my remarks, a release issued by the distinguished floor leader of the minority, the senior Senator from Oregon [Mr. McNARY], in anticipation of the coming into effect of the amendments to the Social Security Act adopted by Congress at the last session. In the release attention is called to the fact that the amendments were nonpartisan in character, but that they were made after 3 years of effort and agitation on the part of the Republican minority in both the House of Representatives and the Senate. I ask that this release of December 30, 1939, be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

On Monday the amendments to the Social Security Act adopted by Congress last summer will become effective. Were it not for these amendments some 40,000,000 workers and their employers each would have been subjected to a 50-percent increase in old-age payroll taxes. Instead of a tax of 1 percent, they would have been required to pay 1½ percent. The amendment "freezing" until 1943 the present rate of pay-roll tax will save workers and employers in the coming year approximately \$275,000,000, or an estimated total of \$875,000,000 in the next 3 years—a huge sum which will go into the channels of trade instead of being spent by the Government. Indeed if the principle of keeping the pay-roll taxes at 1 percent and eliminating the "full reserve" fund is perpetuated, workers and employers in the next 40 years will be saved approximately \$40,000,000,000.

The "freezing" of the pay-roll taxes, along with other changes made in the law by these amendments, will save workers and employers, during 1940, approximately \$580,000,000, according to an estimate made by the House Ways and Means Committee. For the next 3 years the committee placed the savings in the neighborhood of \$1,710,000,000.

Under the amendments which become effective Monday, old-age insurance benefits also have been liberalized. The date for beginning the payment of monthly old-age insurance benefits has been advanced from January 1, 1942 to January 1, 1940. Thus many tens of thousands of persons who have reached the age of 65 years will now receive benefits ranging up to \$40 a month, plus benefits for wives and children. Under the original legislation these benefits would not have commenced for 2 more years. The amendments likewise liberalized the benefits to all insured workers retiring in the early years of the system. Under these changes about \$1,755,000,000 in benefits, it is estimated by the Ways and Means Committee, will be disbursed during 1940-44, or about \$1,200,000,000 more than estimated would be spent under the original law during these 5 years. In addition, these amendments brought about 1,100,000 more persons—seamen, bank employees and employed persons, age 65 and over—under the old-age insurance system, and about 200,000 under unemployment insurance.

Social-security legislation—care for the aged and the unemployed—is in no sense a partisan question. Both parties have supported it. But it is not inappropriate at this time to call attention to the fact that the amendments to the Social Security Act now becoming effective resulted from more than 3 years of effort and agitation by the Republican minority of House and Senate. Elimination of the "full reserve fund" and placing of the old-age insurance system on a pay-as-you-go basis with a modest contingent reserve is in line with the recommendations made in January 1937 by the minority group named by Republicans in both branches of Congress to study the question of social security.

It will be recalled that, on January 29, 1937, Senators ARTHUR VANDENBERG and JOHN G. TOWNSEND, Jr., and Representatives DANIEL A. REED and THOMAS A. JENKINS, acting for the Republican minority of House and Senate, introduced a resolution calling for a study of the very proposals, among others, which now have been fulfilled. They issued a statement urging the freezing of the pay-roll taxes and elimination of the "full reserve" fund, advancement of the date for payment of old-age benefits to insured workers and a liberalization of benefits in the early years of the system.

These recommendations led to the appointment by the Senate Finance Committee and the Social Security Board of the Advisory Council on Social Security, which in December 1938 submitted a report suggesting many of the changes made by the amendments adopted last summer. Only a minority of this council, however, endorsed the Republican proposal for freezing of the pay-roll tax as of January 1, 1940, but this minority viewpoint prevailed when the amendments were enacted.

Republicans in Congress are very proud of this contribution toward perfecting the social-security system. Republicans everywhere should be proud of this constructive achievement by their party in eliminating some of the dangers in the original social-security legislation and in broadening its benefits in a sound and sensible manner.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6505) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SUMNERS of Texas, Mr. CELLER, Mr. McLAUGHLIN, Mr. GUYER of Kansas, and Mr. REED of Illinois were appointed managers on the part of the House at the conference.

INSPECTIONS AND INVESTIGATION IN COAL MINES

Mr. NEELY. Mr. President, I move that the Senate proceed to the consideration of Senate bill 2420 relating to certain

inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes.

Mr. AUSTIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Lee	Schwellenbach
Ashurst	Frazier	Lodge	Sheppard
Austin	George	Lucas	Shipstead
Bailey	Gerry	Lundeen	Slattery
Bankhead	Gibson	McKellar	Smathers
Barbour	Gillette	McNary	Stewart
Barkley	Glass	Maloney	Taft
Bilbo	Green	Mead	Thomas, Okla.
Brown	Guffey	Miller	Tobey
Bulow	Gurney	Minton	Townsend
Burke	Hale	Murray	Truman
Byrd	Harrison	Neely	Tydings
Byrnes	Hatch	Norris	Vandenberg
Capper	Hayden	Nye	Van Nuys
Chandler	Herring	O'Mahoney	Wagner
Chavez	Hill	Pepper	Walsh
Clark, Idaho	Holman	Pittman	Wheeler
Clark, Mo.	Holt	Radcliffe	White
Connally	Hughes	Reed	Wiley
Danaher	Johnson, Calif.	Reynolds	
Davis	Johnson, Colo.	Russell	
Donahay	King	Schwartz	

The PRESIDING OFFICER. Eighty-five Senators having answered to their names, a quorum is present.

The question is on the motion made by the Senator from West Virginia [Mr. NEELY].

Mr. NEELY. Mr. President, will the Chair please state the motion?

The PRESIDING OFFICER. The motion is that the Senate immediately consider Senate bill 2420, relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes. The motion is not debatable.

The motion was agreed to, and the Senate proceeded to consider the bill (S. 2420) relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes, which had been reported from the Committee on Mines and Mining with amendments.

Mr. CAPPER. Mr. President, I wish to call the attention of the Senate to a telegram I received today from Henry Allai, president of district 14 of the United Mine Workers of America, urging the favorable action by the Senate on the pending bill, S. 2420. I have known Mr. Allai many years and have great confidence in his judgment. I come from a State which has important coal interests. I have studied this measure carefully and believe it is desirable legislation. I am glad to give it my support.

I ask unanimous consent that Mr. Allai's telegram be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

PITTSBURG, KANS., January 18, 1940.

Senator ARTHUR CAPPER,
Senate Office Building:

In behalf of the men who work in coal mines in our State, we are asking you to support Senate bill 2420, known as the mine-safety bill. While we have State mining laws, yet this will be a great improvement on what we now have for the protection of the safety and lives of our men.

HENRY ALLAI,
President, District 14, United Mine Workers of America.

The PRESIDING OFFICER. The clerk will state the committee amendments.

The first amendment of the Committee on Mines and Mining was, in section 1, page 3, after line 14, to add an additional subsection (f), as follows:

(f) The Secretary of the Interior, or any agency of government which he may use in carrying out the provisions of this act, shall cooperate with the Bureau of Mines, or other safety agency, in the respective cities and Territories, and shall report the acts of himself, or such agencies, to the State and Territorial bureaus or

safety agencies. He, or such agency of government as may be used by him, shall give notice of all inspections to such State or Territorial bureaus or agencies, and afford an opportunity for the representatives to assist in such inspections. All inspections made by the Secretary of the Interior, or any agency of government which he may use, shall not be in violation of any State, Territorial, or Federal law.

So as to make the section read:

That the Secretary of the Interior is hereby authorized and empowered to make or cause to be made annual inspections and investigations in coal mines the products of which regularly enter commerce or the operations of which substantially affect commerce—

(a) For the purpose of obtaining information relating to health and safety conditions in such mines, the causes of accidents involving bodily injury or loss of life in such mines, or the causes of occupational diseases originating in such mines, whenever such health or safety conditions, accidents, or occupational diseases burden or obstruct commerce or threaten so to do;

(b) For the purpose of obtaining information relating to health and safety conditions in such mines, the causes of accidents involving bodily injury or loss of life in such mines, or the causes of occupational diseases originating in such mines, as a basis for determining the most effective manner in which the public funds made available for the protection or advancement of health or safety in coal mines, and for the prevention or relief of accidents or occupational diseases therein may be expended for the accomplishment of such objects;

(c) For the purpose of obtaining information relating to health and safety conditions in such mines, the causes of accidents involving bodily injury or loss of life in such mines, or the causes of occupational diseases originating in such mines, as a basis for the preparation and dissemination of reports, studies, statistics, and other educational materials pertaining to the protection or advancement of health or safety in coal mines and to the prevention or relief of accidents or occupational diseases in coal mines;

(d) For the purpose of obtaining information relating to accidents involving bodily injury or loss of life in such mines or relating to occupational diseases originating in such mines, to be transmitted to the Bureau of the Census for use in connection with the preparation and compilation of the various census reports;

(e) For the purpose of obtaining information relating to health and safety conditions in such mines, the causes of accidents involving bodily injury or loss of life in such mines, or the causes of occupational diseases originating in such mines, to be transmitted to the Congress for its consideration in connection with legislative matters involving health and safety conditions, accidents, or occupational diseases in coal mines.

(f) The Secretary of the Interior, or any agency of government which he may use in carrying out the provisions of this act, shall cooperate with the Bureau of Mines, or other safety agency, in the respective cities and Territories, and shall report the acts of himself, or such agencies, to the State and Territorial bureaus or safety agencies. He, or such agency of government as may be used by him, shall give notice of all inspections to such State or Territorial bureaus or agencies, and afford an opportunity for their representatives to assist in such inspections. All inspections made by the Secretary of the Interior, or any agency of government which he may use, shall not be in violation of any State, Territorial, or Federal law.

The PRESIDING OFFICER. Without objection, the amendment—

Mr. AUSTIN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. AUSTIN. Does the amendment include the language beginning, in line 15, on page 3, through line 25 on the same page, and the first two lines on the top of page 4?

Mr. NEELY. That is correct.

Mr. AUSTIN. Mr. President, I think before the question is put we ought to have some explanation of the measure. I am merely asking for information. What does this measure mean? On its face, so far as the reading goes, it apparently has to do with something which belongs exclusively within the jurisdiction of the several States, and is no part of the jurisdiction or authority of the Congress of the United States. So I ask for information.

Mr. NEELY. Mr. President, does the Senator from Vermont object to the amendments?

Mr. AUSTIN. Mr. President, I may. I do not want an amendment adopted here until we know what it is about.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McNARY. Has the motion of the Senator from West Virginia been adopted as to making this measure the unfinished business?

The PRESIDING OFFICER. The motion was agreed to unanimously.

Mr. McNARY. I think the able Senator from West Virginia should address himself in the usual way to the whole of the bill at this time.

Mr. NEELY. Mr. President, I shall be glad to respond to that suggestion, if that is agreeable to the Senator from Vermont.

Mr. BARKLEY. Mr. President, I think it would be advisable for the Senator to give a brief explanation of the purposes of the bill.

Mr. NEELY. Mr. President, I cheerfully accept the suggestions of the able Senators from Oregon and Kentucky.

During the last 30 years the American miner has performed his services in danger to his life and limb greater than that which confronts any British, French, or German soldier on the western European front today. During this period, the perils of coal mining have been greater than those of any other industry. Since the beginning of the present century a large-scale production coal mine has been more hazardous than any battlefield of the second World War.

In proof of these sweeping assertions, let specific facts speak to the point. From 1906 to 1937, inclusive, 58,600 men were killed in the coal mines of the United States and 3,516,000 were injured.

In other words, for almost a third of a century, on the average, the lives of more than 1,950 American coal miners have been accidentally snuffed out every year. For more than 30 years our mining industry has, on the average, yearly contributed to the vast army of the injured more than 117,000 men.

Data supplied by the Federal Bureau of Labor Statistics shows that the death rate in bituminous coal mining for each million hours of employment is at least eleven times greater than that of the average death rate of 30 manufacturing industries; and that the total accidents occurring in the mining of coal are about 4 times as great as the average in the other industries just mentioned.

The recently abolished National Bituminous Coal Commission estimated that the wage loss in the bituminous coal industry occasioned by injuries during the last decade averaged more than \$40,000,000 a year and that less than 23 percent of this great loss was covered by the payment of compensation.

The Coal Commission estimated that in 1936 accidents caused the coal operators a direct loss of more than \$19,000,000, and that the indirect losses which resulted from interruption of production, deterioration of morale, and other kindred causes amounted to approximately 20 cents for every ton of coal produced. It is estimated that the total direct and indirect loss to the industry attributable to accidents in 1936 alone amounted to more than \$105,000,000.

Mr. President, the United States Bureau of Mines was established in 1906, and since that time it has rendered excellent service to the mining industry. A number of the coal-producing States have efficient mining departments. But the continued efforts of the Nation, the State, the miners, and the operators have not succeeded in affording sufficient protection to those who dig and load the Nation's coal. Conditions that yearly injure more than 117,000 men and rob more than 1,900 of their lives demand immediate, permanent, and far-reaching reform.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NEELY. I yield.

Mr. BARKLEY. As I understand the purpose of the bill, it does not seek to interfere with the agencies of any State that are now engaged in the inspection of mines?

Mr. NEELY. It does not.

Mr. BARKLEY. Nor to superimpose the proposed inspection above the State inspection. The measure simply authorizes the Secretary of the Interior to investigate, by inspection through his agencies, the conditions in coal mines, looking to the preservation of life and health and the safety of the mining operations for the benefit of the miners, does it not?

Mr. NEELY. That is correct.

Mr. BARKLEY. And that upon the making of such investigation the Secretary of the Interior is authorized and directed to report to Congress, and also to publish pamphlets and circulate information and give it to the press, as to the conditions existing in the mining industry, pertaining to the safety of lives and health, and that he is authorized to cooperate with such State agencies, and also to use any agency under his own jurisdiction—specifically the Bureau of Mines—in making the investigations and inspections; so that the Government of the United States, the Congress and the public, may have full information as to the conditions existing in the coal mines with respect to safety, life, and health. Is that substantially correct?

Mr. NEELY. The Senator from Kentucky has, with his usual accuracy, correctly stated the case.

Mr. BARKLEY. If I correctly understand the bill, it does not give the Secretary of the Interior authority to do anything as the result of the investigation and inspection which he makes.

Mr. NEELY. That is true. He is simply authorized to investigate, inspect, report, and recommend.

Mr. BARKLEY. Based upon such information, Congress could probably enact legislation which would give the Secretary or somebody else more authority. However, in the bill the Secretary is not given any authority over the operations of mines, or to interfere with any State agency, or to do anything except to make public, through Congress, the press, and his own means, the information he gathers as a result of these inspections.

Mr. NEELY. The purpose of the bill is not opposition to State mining departments but cooperation with them.

Mr. TAFT and Mr. CHANDLER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from West Virginia yield; and if so, to whom?

Mr. NEELY. I yield first to the Senator from Ohio, and then to the Senator from Kentucky.

Mr. TAFT. Mr. President, I do not quite understand what additional powers are proposed over those which the Bureau of Mines already has. As I read the powers of the Bureau of Mines, it is the province and duty of the Bureau of Mines to conduct inquiries and scientific and technological investigations concerning mining. For example, I understand that the Bureau of Mines is now investigating a recent accident in West Virginia, and that it has full access to all mines for such purposes.

What additional powers are proposed to be granted to the Secretary of the Interior over what the Bureau of Mines already can do?

Mr. NEELY. Mr. President, the bill authorizes the Secretary of the Interior to inspect coal mines, and report the conditions which the inspection reveals, to the end that additional measures for the prevention of accidents may be adopted.

Mr. TAFT. Yes; but what powers are proposed to be given to the Bureau of Mines which it does not already possess?

Mr. NEELY. The bill neither increases nor diminishes the powers of the Bureau of Mines. It provides for annual inspections and investigations by the Secretary of the Interior. There is no law which requires the Bureau to make such inspections and investigations.

Mr. TAFT. But the Bureau of Mines may make them today, may it not?

Mr. NEELY. The Bureau may make them and does make them after a disaster. The purpose of the bill is to provide inspections and supply sufficient information to enable the proper authorities to prevent mine disasters.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. NEELY. I gladly yield.

Mr. CHANDLER. Subsection (f) of the bill makes it the duty of the Secretary of the Interior, or any agency of Government which he may use, to cooperate with the Bureau of Mines or other safety agencies in the States and Territories of the United States.

Mr. NEELY. That is true.

Mr. CHANDLER. The bill makes it the duty of the Secretary of the Interior to cooperate with State agencies and make annual inspections. Under certain circumstances he may make other inspections.

Under section 1 he may make annual inspections. Then, under section 2, upon the occurrence of an accident involving bodily injury or loss of life in a mine subject to the provisions of section 1, if in the opinion of the Secretary the circumstances indicate that the making of such inspections or investigations in the mine concerned will be in furtherance of the purposes of the act, the Secretary is further authorized and empowered to make investigations and inspections at other than annual intervals. Is it not true that the bill makes it mandatory that the Secretary of the Interior shall cooperate with the agencies in the several States?

Mr. NEELY. Yes, as I have previously indicated the bill is designed to promote cooperation—not opposition or competition.

Mr. CHANDLER. I believe that those engaged in the mining of coal are sincerely of the conviction that this additional inspection might result in the saving of many lives of those engaged in coal mining.

Mr. NEELY. That seems to be the general opinion of the hundreds of thousands who are engaged in the mining of coal.

Mr. CHANDLER. The bill does not take any authority away from the State agencies; but under the provisions of the bill additional annual inspections are mandatory, and it is mandatory that the Secretary of the Interior give notice of such inspections to the heads of the State departments, and not only cooperate with them, but give them an opportunity to be present when he makes his inspection.

Mr. NEELY. That is correct.

Mr. AUSTIN. Mr. President, will the Senator yield for a question?

Mr. NEELY. Gladly.

Mr. AUSTIN. I seek information. I know little about coal mining.

Mr. NEELY. That is the only subject of debate about which the Senator from Vermont has not proved himself to be well informed.

Mr. AUSTIN. I thank the Senator from West Virginia.

Mr. NEELY. Let me assure the Senator that my assertion was very sincerely made.

Mr. AUSTIN. I made that statement only in order that the Senator would be patient with me in my inquiry.

The question I have in mind is whether or not we already have a set-up in the several States where coal mining occurs, in the form of boards for the inspection of mines in order to reduce the hazards of occupational disease and accidental injuries in such mines. Do we not already have institutions set up by the several States?

Mr. NEELY. Mr. President, we do; but they are unable to provide sufficient protection. For example—and I shall not offend by mentioning names—in one State which has had its full share of mine disasters or accidents, the appropriation last year for the purpose of protecting the miners was less than a half a mill for each ton of coal produced in the State. Of course, this meant practically no protection at all.

Similar situations exist in many other States.

Mr. AUSTIN. Mr. President, the very manner of presentation of this situation shows that it is a controversial question, in which we may have a State policy in conflict with the Federal policy regarding a matter of production or a matter of public health within the confines of a given State. I ask the Senator from West Virginia if he is free from doubt about the right of the Federal Government, just because its Congress may think that a State does not appropriate enough and is not sufficiently active in the inspection of mines, to assume jurisdiction over the subject when the Federal jurisdiction might conflict with the jurisdiction of the States?

Mr. NEELY. Mr. President, the Senator from West Virginia thoroughly satisfied himself that the bill was constitutional before he introduced it.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NEELY. Gladly.

Mr. BARKLEY. If the Senator will permit me, I invite the attention of the Senator from Vermont to the fact that the latter part of the pending amendment, which is subsection (f) of section 1, provides that all inspections made by the Secretary of the Interior or any agency of government which he may use shall not be in violation of any State, Territorial, or Federal law.

Mr. AUSTIN. Yes.

Mr. BARKLEY. Furthermore, the bill requires that when the Secretary seeks to use the agency of any State to aid him in facilitating the investigation or inspection, he must have the consent of the State.

Mr. AUSTIN. Mr. President, I observed that; and it immediately excited my interest, because it is a clear implication of the possibility of conflict between the two jurisdictions, the Federal jurisdiction and the State jurisdiction. We say, as we proceed to occupy this field, "We will not claim that the Federal law is supreme in respect to this matter when the two jurisdictions occupy the same field." Heretofore, we have always respected the Constitution and the Federal statutes as the supreme law of the land whenever and wherever the State law and the Federal law occupied the same field.

In my opinion—of course, my opinion is only superficial, because this is the first time I have looked at this measure or had an opportunity to consider it—there is a question as to whether or not we are starting out upon another road to the left and attempting either to break down or entirely disregard the constitutional separation of the two governments if we undertake to exercise a power of inspection for the purpose of passing laws regulating the conduct of the business of mining, which has been repeatedly established to be a concern of the several States and not a concern of the Federal Government.

Mr. REED. Mr. President, will the Senator yield?

Mr. NEELY. I yield to the Senator from Kansas.

Mr. REED. Mr. President, I am a member of the committee which submitted this report. The chairman of that committee was the distinguished Senator from Kentucky, the late Senator Logan.

I will say to the Senator from Vermont that I think there is nothing in this bill which in any way interferes with the Constitution of the United States, or is unconstitutional. In the production of a commodity so important as coal, I think the Government of the United States, through its agency—which I hope will be the Bureau of Mines—might make certain inspections, if it chose, as the distinguished Senator from Ohio [Mr. TAFT] has indicated. It has not always chosen to do that.

I happen to come from a coal-mining State—not a great coal-mining State like West Virginia, Ohio, Pennsylvania, or Illinois—but still a coal-mining State. All my life I have lived next door to the coal-mining region of my own State of Kansas. Coal mining is one of the most hazardous, if not the most hazardous of occupations.

Whatever we might do either by State authority or by national authority to lessen that hazard, that thing I am in favor of doing.

The distinguished Senator from West Virginia [Mr. NEELY] was the author of the bill; the Senator from Pennsylvania [Mr. DAVIS] was a member of the committee along with myself, and he will recall, of course, the consideration in the committee of this bill directing the Secretary of the Interior to make an inspection once a year. For the information of the Senate, I may say that among the most serious hazards—and there are many serious hazards in coal mining—explosions are the worst.

Explosions may occur from one of two factors; either from the presence of natural gas which is found with the coal, or

from the ignition of coal dust. As coal is mined, unless there is good ventilation in the mine, all the entries and vacant places become filled with a very fine coal dust, and coal dust causes more explosions than does gas. The recent explosion in the State of the Senator from West Virginia, I think, will be found to have been caused by an accumulation of coal dust—I am merely expressing opinion and not stating a fact—and by the ignition of the coal dust because of inadequate ventilation.

Mr. NEELY. Mr. President, may I interrupt the Senator there for a moment?

Mr. REED. Certainly.

Mr. NEELY. According to my information, the Senator is in error concerning the explosion at Bartley. It is said to have been caused by gas. I am informed that this mine was one of the best operated in the State of West Virginia. Rock dust is said to have been abundantly and properly used. If this is true, as I believe it to be, coal dust could not have caused the explosion. Therefore, gas must have occasioned the disaster.

Mr. REED. Mr. President, I stated I was expressing an impression only and not an opinion or a final judgment. No matter what caused the explosion, even if gas was present—and gas is very frequently present in coal mines—if there had been sufficient and adequate ventilation, there would not have been an explosion. It is such explosions that in 99 cases out of 100 cause the great losses of life. There are many minor accidents in mines, such as the falling of the roof or of a piece of rock or slate or something of that kind, but the great loss of life comes from explosions.

I may say to the Senator from Vermont that I am perhaps not the only Senator but certainly one of the Senators who objected to the provision on page 4, beginning in line 11, that the Federal Government, through the Secretary of the Interior, might go in upon the condition set forth which we struck out of the bill. The clause reported to be stricken out reads:

Upon the submission to the Secretary of the Interior of a petition signed by a majority of the underground workers in a mine subject to the provisions of section 1, or signed by the authorized employee representatives of a majority of the underground workers in such a mine.

In lieu of that provision which the committee struck out it wrote section (f) beginning on page 3, line 15, concerning which the very able Senator from Vermont inquired. We tried by the language of that amendment to bring about cooperation between the Federal and the State mining bureaus and mining inspection agencies, which are maintained by most of the States.

Mr. AUSTIN. Mr. President, will the Senator yield at that point?

Mr. REED. Certainly.

Mr. AUSTIN. Would it not be true, if this bill should become a law, that there would then be three different inspectors, namely, the State agency, the Chief of the Bureau of Mines under the law as it exists today, plus the Secretary of the Interior?

Mr. REED. I may say to the Senator from Vermont the language of that section is:

The Secretary of the Interior, or any agency of government which he may use in carrying out the provisions of this act, shall cooperate with the Bureau of Mines.

If I could have had my way about it, individually, I would have devolved the work entirely upon the Bureau of Mines.

Mr. AUSTIN. That is not the language of the bill, is it? I cannot see that in the bill.

Mr. REED. If I may read again from page 3—

Mr. AUSTIN. The Senator was reading from the amendment. I thought he was reading from section 1.

Mr. REED. No.

Mr. AUSTIN. Section 1 is the empowering section of the bill.

Mr. REED. What we have done—and I only came to the support of this bill after mature thought and consideration in and out of the committee in the interest of safety—is to

give the Secretary of the Interior authority to make an annual inspection.

Mr. AUSTIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. AUSTIN. Mr. President, will the Senator from West Virginia yield to enable me to ask the Senator from Kansas a question?

Mr. NEELY. Certainly.

Mr. AUSTIN. Does the Senator from Kansas mean by what he has said there will be three inspections?

Mr. NEELY. No.

Mr. REED. I think there might be two, and I think there will be two.

Mr. AUSTIN. Then the Senator must ignore, does he not, the opening paragraph of the bill:

That the Secretary of the Interior is hereby authorized and empowered to make or cause to be made annual inspections—

And so forth. Does not the Senator ignore the main power contained in this proposed legislation?

Mr. REED. Further over, in an amendment which was put in by the committee, we provided that "the Secretary of the Interior, or any agency of government which he may use in carrying out the provisions of this act, shall cooperate with the Bureau of Mines."

Then we further say that—

All inspections made by the Secretary of the Interior, or any agency of government which he may use, shall not be in violation of any State, Territorial, or Federal law.

Mr. President, this is a bill with which I am somewhat familiar. I have discussed this matter with men in the coal trade. I know that some of the coal operators in my State are opposed to it, as they think it would let the Federal elephant's trunk get further under the tent.

I admit that that is an objection which I wish we could avoid, but I do not know how we can avoid it entirely. The mine workers with whom I have talked—and I am going to be a little bit more outspoken than was the Senator from West Virginia—have stated to me that Pennsylvania, for example, and Illinois, the State which the present Presiding Officer [Mr. LUCAS in the chair] so ably represents, and Kansas, have very fine mine-inspection laws, and that other States have good inspection laws, but that the inspection laws of some other States are wholly inadequate for the safety of the men engaged in this most hazardous occupation.

Speaking now as a member of the committee, I cooperated with the lamented Senator from Kentucky, Mr. Logan, who was chairman of the committee, in striking out the provision on page 4. If that provision had remained, beginning at line 11, page 4, a group of unruly miners—and we have such—might have had an inspection every day or every week. I was unwilling to leave the bill open to that kind of situation; so we struck it out, and we provided that the work of the Secretary of the Interior—and we had to devolve the responsibility some place, we might have placed it in the Bureau of Mines, perhaps—was to be carried out in cooperation with the National Bureau of Mines and with the State agencies, and that he should make inspection annually and even more frequently if accidents in mines justified it.

Mr. President, I am not one of those who seek to extend Federal authority; I am one of those who prefer to confine it. I am not one of those who seek to restrict the power of the States; I want them to remain in full power and vigor, but I know, because I come from a coal-mining State, that coal mining is probably—and I accept the statement of the Senator from West Virginia—the most hazardous of all industries, and the men engaged in it are entitled to the fullest degree of protection which they may obtain fairly and reasonably by cooperation between the Federal Government and the States. In some States the present degree of protection, through the efficiency of the bureaus of inspection, is adequate; in other States it is not.

I shall not be offensive by trying to name any of the States where it is not; but, very frankly, as a member of

the committee, I wanted to have taken whatever action could be taken to improve the safety of the men engaged in this most hazardous of occupations. To me, this is a question of safety; and because it is so important a question of safety I am willing to go along by lodging in the Secretary of the Interior the power and duty of making an annual inspection, always, however, in cooperation with the State authorities; and that is the way the bill now reads as it comes before the Senate.

Mr. NEELY. Mr. President, before proceeding with the discussion let me respond to the observation of the able Senator from Kansas regarding his objections to the elephant intruding his trunk into the tent. I had been laboring under the melancholy impression that several Republican Senators were in favor of pushing the whole elephant with trunk, tusks, tail, and tallow unimpaired into the governmental tent. [Laughter.]

Mr. REED. Mr. President, will the Senator from West Virginia yield?

Mr. NEELY. Certainly.

Mr. REED. This year, in November, we are going to get our whole body into the tent, if you please. [Laughter.]

Mr. BARKLEY. Mr. President, that may not conduce to safety of life within the tent. [Laughter.]

Mr. REED. It will make for the interests of nations and the prosperity of the United States; but it has nothing to do with this bill.

Mr. NEELY. I shall not take issue with my distinguished friend from Kansas about the effects of a political change that cannot possibly be made this year, because he is supporting my bill, which is the only matter of importance now before the Senate.

Mr. BARKLEY. Mr. President, I suggest to the Senator from West Virginia that in line 18 of the pending amendment, page 3, I think the word "cities" must be a misprint. It seems to me it ought to be "States and Territories," because all the rest of the amendment refers to States and Territories, and cities have no jurisdiction of mines.

Mr. NEELY. Yes; the word "cities" should be "States."

Mr. President, in relation to this bill, the coal industry is today precisely where the railroads of the country were immediately before the enactment of the Federal inspection and safety-appliance laws.

Mr. REED. Mr. President, will the Senator from West Virginia yield to me?

Mr. NEELY. I yield.

Mr. REED. I do not want that statement of the Senator from West Virginia to go entirely unchallenged. In my State—of which I have been Governor, and where I appointed the State mining inspector, and operated the machinery which inspects the mines—we have the fullest cooperation from the coal operators. I have no fault to find with the coal operators in my State.

Mr. NEELY. Neither am I finding fault with the coal operators of West Virginia or of any other State. But so far the efforts of governmental agencies in cooperation with the miners and operators have failed to prevent constantly recurring disasters. In my opinion additional Federal assistance should be promptly supplied.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. NEELY. I yield to the Senator from Ohio.

Mr. TAFT. I have every sympathy with the purposes of the bill; but what concerns me is that we seem to be granting to one Government department complete investigatory powers which are already granted to another, so that if the bill is passed we may have two officials overlapping and doing the same work.

When I previously asked the Senator about the same thing, he said the bill required the Secretary of the Interior to make these investigations annually. Upon reading the bill I do not see that it does require him to do so. I do not quite see what additional powers the bill gives the Secretary which the Bureau of Mines does not already have; and I do not understand why we should grant the same powers over again to a dif-

ferent department of the Government than one which already has those powers.

Mr. NEELY. Mr. President, I think the very first section of the bill answers the Senator's question. It is as follows:

That the Secretary of the Interior is hereby authorized and empowered to make or cause to be made annual inspections and investigations in coal mines the products of which regularly enter commerce or the operations of which substantially affect commerce.

And section 7, provides:

The Secretary of the Interior shall devolve the execution of the provisions of this act upon any of the existing bureaus or agencies under the Department of the Interior.

Mr. TAFT. The Bureau of Mines is now given the duty of conducting inquiries and scientific and technological investigations.

Mr. NEELY. Yes; and so much of the time of the Bureau is devoted to technological investigations that little or none is left for the inspections of mines.

Mr. TAFT. Furthermore, the Bureau is authorized to establish, and does maintain, as I understand, 10 mining experiment stations and 7 mine-safety stations, movable or stationary, in addition to those already established. If there is an agency of the Government maintaining such stations, inspecting mines, and given power to inspect them, why should we now all of a sudden create another bureau or in effect give the Secretary of the Interior power to assign to some other Bureau the same powers over again?

Mr. NEELY. Mr. President, I thought that I had sufficiently responded to the Senator's observations on that point. The investigations which the Bureau of Mines now conducts are made after accidents occur.

Mr. TAFT. But the Bureau may make them before accidents occur.

Mr. NEELY. But it does not perform that service. The bill is designed to cause investigations to be made before accidents occur, in order that their occurrence may, if possible, be prevented.

Mr. TAFT. But under the Bureau of Mines statutes, the Bureau may make investigations before accidents occur. All we have to do is to appropriate money for additional inspectors.

Mr. NEELY. I doubt whether that alone would be sufficient. In any event neither the appropriations nor the inspections have been made.

Mr. TAFT. The officials of the Bureau will say, if we ask them why not, that we have not given them the money to do it.

May I ask the Senator one other question? I notice that this authority for expenditures is practically unlimited. The bill says, in section 9:

There are hereby authorized to be appropriated * * * such sums as may be necessary for the due execution of this act.

Has the Senator any estimate of the additional cost involved in these additional inspections at every mine in the United States every year?

Mr. NEELY. Mr. President, I have not; but I venture to assert that in comparison with the loss from accidents, which cost more than \$40,000,000 a year, the expense of the service required by the bill will be negligible.

Mr. TAFT. I know; but I should like a more definite answer, if the Senator can give it to me. I am not criticizing the amount. It may be well worth while; but what will be the cost of all the additional inspectors we are going to have to put on in some other bureau than the Bureau of Mines to carry out this inspection?

Mr. NEELY. Does the Senator from Ohio really fear that the able Secretary of the Interior will create a new bureau to discharge the duties specified in the bill, instead of assigning those duties to the Bureau of Mines?

Mr. TAFT. If he is not going to do it, why should we not give the authority to the Director of the Bureau of Mines instead of to the Secretary of the Interior?

Mr. NEELY. Because the Bureau of Mines and the administration of the Bituminous Coal Act are now under

the Secretary of the Interior, and it was deemed advisable to place all coal-mining agencies under the same capable and responsible official.

Mr. REED. Mr. President, will the Senator from West Virginia yield to let me answer the Senator from Ohio?

The PRESIDING OFFICER. Does the Senator from West Virginia yield for that purpose?

Mr. NEELY. I yield.

Mr. REED. I think there is a better answer which can be made to the Senator from Ohio about the language in line 3, page 1. I am now speaking from the viewpoint of a member of the committee which gave the bill very earnest study, and had the bill before it at different times in executive session, in an effort to make it the best possible bill. We might say "That the Secretary of the Interior is hereby directed" instead of "authorized," and that would not leave any discretion in the Secretary of the Interior or the Bureau of Mines to make any distinction in the inspection of mines between States in which the State bureaus are entirely adequate and those in which the State bureaus are not entirely adequate.

I speak for myself alone, but I speak as a member of the committee which reported the bill, and that is the reason why I prefer the language as it is. Under the bill the Secretary of the Interior is not required, unless he wants to do so, to go into States which have adequate mine-inspection bureaus and adequate mine-inspection laws. If we had used the word "directed" instead of the word "authorized," we then would have required an annual inspection of every coal mine in the United States, whether it needed the inspection or not.

I am perfectly willing, so far as I am concerned, to have vested a reasonable amount of discretion in the head of the department which is to administer the proposed law, if the bill shall become a law, and to me that is the reason why we left this language as it is.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. NEELY. I yield.

Mr. DANAHER. I should like to ask the Senator from West Virginia, if I may, whether or not the definition of "commerce," in section 10 of the bill, is to be found in any existing law of which the Senator is aware?

Mr. NEELY. I am under the impression that identical or similar language occurs in the so-called Guffey Coal Act.

Mr. DANAHER. Let me ask the Senator, as the author of the bill, what the term "communication" means, in line 10, page 9. When I ask what it means, I inquire to what extent the Senator understands the word "communication" will go as a matter of or defining commerce within the States referred to.

Mr. NEELY. It is nearly synonymous with transportation and is probably superfluous.

Mr. DANAHER. Mr. President, if I may make myself explicit, I have in my mind that under certain criminal statutes, for instance, the Federal Government undertakes to impose its criminal jurisdiction, for violation of statutes involving the mails, for example, solely on the question whether or not a letter is mailed or is received either in one State or another, and on the basis of the mailing of the letter or its receipt in interstate transit the Government undertakes to fasten its jurisdiction. I therefore ask whether the Senator had in mind, for instance, that a communication from a mine owner in a State to a would-be purchaser of coal in another State would be such a communication within the meaning of section 10 as would make that particular transaction commerce within the meaning of section 10 and therefore give jurisdiction to inspect the mine in the mining State?

Mr. NEELY. Mr. President, that was not my intention.

Mr. REED. Mr. President—

Mr. DANAHER. Will the Senator from West Virginia yield for one further question?

Mr. NEELY. I yield.

Mr. DANAHER. I thank the Senator from Kansas for his forbearance, and I will conclude in just a moment.

Mr. REED. Mr. President, let me state to the Senator from Connecticut, with the indulgence of the Senator from West Virginia, that so far as I am concerned I should be in favor of taking out the two words "or communication." That would leave the matter within the description of interstate commerce.

Mr. NEELY. If anyone supporting the bill objects to that word, I shall not oppose a motion to strike it out.

Mr. REED. I move—

The PRESIDING OFFICER. The Senator from West Virginia has yielded to the Senator from Connecticut.

Mr. REED. Will the Senator from West Virginia and the Senator from Connecticut indulge me while I move that there be stricken out the two words "or communication," appearing in line 10 on page 9, and the insertion of the word "or" before the word "transportation", in line 9.

Mr. NEELY. I accept the amendment.

The PRESIDING OFFICER. Is there objection to the consideration of the amendment at this time? The Chair hears none, and the question is on the adoption of the amendment.

Mr. AUSTIN. Mr. President, has the Senator from West Virginia yielded the floor?

Mr. NEELY. I have not.

Mr. AUSTIN. I thought the question was about to be put on the bill.

The PRESIDING OFFICER. No; the question is on the adoption of an amendment presented by the Senator from Kansas to strike out the words "or communication", in line 10, page 9, and to insert the word "or" before the word "transportation", in line 9.

The amendment was agreed to.

Mr. DANAHER. Mr. President, will the Senator from West Virginia yield further?

Mr. NEELY. I yield.

Mr. DANAHER. I wonder whether there comes to the mind of the Senator from West Virginia any type of mine with reference to which this proposed statute will not confer jurisdiction for inspection.

Mr. NEELY. No; no type of coal mine, the output of which enters interstate commerce.

Mr. DANAHER. In other words, the word "commerce" will be and is intended to be so all-embracing that if coal, for instance, from any such mine is introduced into trade, traffic, commerce, or transportation, inspection jurisdiction may follow?

Mr. NEELY. That is correct.

Mr. DANAHER. I thank the Senator for the explanation.

Mr. NEELY. Mr. President, to resume at the point at which I was interrupted, let me invite attention to some of the results of Federal legislation for the protection of railroad employees.

In 1918, 3,048 railroad men were killed and 149,469 were injured.

Five years later, under the operation of the Federal law providing inspections and reports of accidents, and requiring certain safety appliances, the death rate had fallen from 3,048 to 1,866, and accidents to 148,146.

Five years later the death rate had fallen to 1,187.

In 1930 accidental deaths fell to 898 and injuries to 33,184, and the decrease in deaths and injuries to railroad employees has been constant ever since. In 1938 the deaths were only 455, in comparison with 1,187 ten years before, and the accidents in 1938 were but 14,397 compared with 66,744 ten years before.

Mr. President, the result of the protection which has been afforded railroad men by Federal legislation, alone is sufficient to justify the Congress in providing additional safeguards for the miners who are being killed at the rate of more than 1,900 a year.

I hope that the Senate by passing the bill by a unanimous vote will take one long praiseworthy step upon the road that leads to the highest possible degree of security for the life and limb of every coal miner in the land.

Mr. FRAZIER. Mr. President, will the Senator yield?

Mr. NEELY. I yield.

Mr. FRAZIER. I should like to ask the Senator from West Virginia whether there will be any expense to the States or to the coal operators from the operation of the proposed law?

Mr. NEELY. None whatever. The inspection is to be paid for by the Federal Government.

Mr. FRAZIER. Is the expense to be added on to the price of coal, or anything of the kind?

Mr. NEELY. No.

Mr. FRAZIER. It would not interfere with the State inspection laws?

Mr. NEELY. In no respect.

Mr. HARRISON. Mr. President, of course legislation such as that contained in the proposal now before the Senate naturally appeals to all of us, as does the proposal for loans to Finland; but sometimes we have to look beyond our personal feelings.

Let me ask the Senator from West Virginia, who is in charge of the bill, what the representatives of the interested States, such as Governors and other leading citizens, say with reference to the necessity for this Federal legislation? Was any testimony taken on the bill?

Mr. NEELY. Yes; hearings were held.

Mr. HARRISON. I tried to get a transcript of the hearings, and have not been able to get it.

Mr. NEELY. The printed hearings consist of 151 pages of evidence. No Governor of any State appeared in opposition to the bill, and, so far as I now recall, no other State official testified against it.

Mr. HARRISON. Were they given ample opportunity to appear before the committee?

Mr. NEELY. The hearings were held in 3 different weeks, and the papers generally carried information regarding their progress.

Mr. REED. Mr. President, will the Senator yield?

Mr. NEELY. I yield.

Mr. REED. I may say to the Senator from Mississippi that following the close of the hearings a number of letters came to the committee discussing the merits and demerits of the proposal, which were considered by the committee following the close of the hearings. But there was no substantial opposition, so far as my knowledge goes, except from a few coal operators. Some coal operators are opposed to the bill. We might just as well be frank about the matter and say that.

Mr. NEELY. Yes.

Mr. HARRISON. Mr. President, I judge that is true. I knew nothing about the measure until day before yesterday, when the Senator from West Virginia made a very eloquent statement concerning it. I have received a communication from one of my good friends—also a good friend of the Senator from West Virginia—who thinks the measure will not be beneficial to the coal industry. He is interested in operating a mine. I know that the coal industry is almost a bankrupt industry. I know it has had a hard road to travel in meeting various kinds of competition and so forth.

With respect to the newly formed agency which my friend, the Senator from Pennsylvania [Mr. GUFFEY] championed, known as the Bituminous Coal Commission, I have not felt that anything has been accomplished down there except fuss and feathers. So it would seem that what is proposed in the pending measure might result in an additional burden. Naturally it would seem to me that the coal States and those in authority there would be the most interested in this proposal. God knows we have no coal in my State, but I do think we should have the opinions of those who are from coal States, such as Kansas, and I am glad to know that the Senator from Kansas has testified with respect to the enactment in his State of very beneficial laws concerning health and safety.

I know that any State would be in better condition due to his efforts. Then I see present other Senators who were

members of the committee and who have been Governors of their respective States. I know they have helped to improve the situation all they could.

Mr. President, I take it for granted that the States are amply able to handle this matter. I think we ought to have at least a statement from representatives of those States which are interested, as to whether or not they think we ought to pile up additional expense, and create an additional number of employees under Mr. Ickes, or someone, and send them out into the highways and byways to investigate. That is why I inquired of the Senator if an inquiry had been made as to what the States particularly interested thought about the suggestion.

Mr. NEELY. Mr. President, I wish particularly to respond to the opinion the Senator from Mississippi expressed concerning the law which was sponsored by our distinguished friend the Senator from Pennsylvania [Mr. GUFFEY]. I think that law amounted to much more than "fuss and feathers." It accomplished a higher degree of stabilization of the coal industry than it had known during the preceding 10 or 15 years, and it afforded 300,000 coal miners who came within its purview much additional prosperity and protection. The Senator from Mississippi has, in my opinion, done the Guffey Coal Act a great injustice.

Mr. HARRISON. Mr. President, I have not kept up with the alleged accomplishments of the Commission under the Guffey Coal Act. I voted for the passage of the act, I will say, because of my very great fondness for the Senator from Pennsylvania, if for no other reason. I am glad to hear something good said about the Bituminous Coal Commission. I am glad to know that it was the means of helping someone. But it is also certainly true that considerable turmoil resulted from certain actions on the part of members of that organization.

Mr. BARKLEY. Mr. President, one of the difficulties that occurred with respect to the regulation of the coal industry under the Guffey Coal Act grew out of a court decision nullifying a price structure which had been set up by the Coal Commission. The Court held that it had not pursued the proper course in arriving at that price structure, because it had not held hearings, or had not given sufficient time for the various elements of the industry to present their case. The Court did not hold that the Commission had no authority to fix the price structure, but that in fixing this particular structure it had not deliberated sufficiently. So the Commission had to back down the hill and start over again.

I think it is true that the results up to now have not been as favorable as were expected at the time the law was passed. Whether that has been the fault of the Commission or whether it grew out of the court's decision nullifying what had been done, perhaps in haste, I do not wish to say; but even though the Coal Commission had not accomplished anything at all, I doubt whether it would be fair to judge the merits of the pending measure on the basis of any failure on the part of the Coal Commission.

While I am on my feet I also wish to say that this bill, in my judgment, may not result in any expense so far as the coal industry itself is concerned. The only thing the bill requires the coal operators to do is to let the agents of the Department of the Interior enter to make the inspection. There is no expense attached to it, so far as the coal industry is concerned. I suppose it is fair to assume there may be a few more employees required in the Bureau of Mines to make these investigations, although I am not certain of that. It is entirely possible that with the present force they could make these investigations, because they are making certain investigations under law now.

Mr. President, I do not want to pass a law based on emotion or sentimentalism growing out of any single accident, but I recall that about a year ago in my State there was a terrific coal-mine explosion which destroyed the lives of a large number of men. Only recently we have been saddened in Kentucky and in West Virginia by the death of 92 men, some of whom came from my State, and worked in mines just

across the State line. These were isolated instances. If they only happened occasionally there might be less justification for bringing about an additional effort to provide safeguards for the lives of these men, but when these things are happening regularly, it seems to me that the more safeguards we can throw around the lives of men who go down into the bosom of the earth to dig out that substance which is so essential to industry and to our homes and to our economic system the better it is, not simply for them, but for the country as a whole.

I appreciate fully the feelings of the Senator from Mississippi with respect to economy and the reduction of expenditures, and the refusal to increase the personnel of the Federal Government. I do not think it is necessary under this bill to do that, although there is authority in the bill for appropriations if they become necessary. That is a matter for the Appropriations Committee to take care of. But I do believe that we will be justified in adding this particular type of inspection to that which is now being conducted by the States, in an effort to prevent these terrible accidents which snuff out in a moment the lives of so many of our people.

Mr. HARRISON. I may say to the Senator from Kentucky that I appreciate the humanitarian aspects of this bill. We all want to try to protect the lives of our people. We all appreciate the hazards incident to the mining industry. But if the States are attending to this matter and doing it efficiently, I see no reason to create a conflict between the Federal Government and the States in the protection of life and the promotion of safety.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER (Mr. MINTON in the chair) Does the Senator from Mississippi yield further to the Senator from Kentucky?

Mr. HARRISON. I yield.

Mr. BARKLEY. As I construe this bill it will not cause any conflict, because the Secretary of the Interior cannot use the agencies of the States without the consent of the States. He is authorized to cooperate with the agencies of the States, but not in violation of any laws of the States. He cannot go into them and take over the situation in violation of the law, or do anything except with the cooperation and consent of the States.

Mr. HARRISON. As to the suggestion presented to me that I should not allow any prejudice against the Bituminous Coal Commission to affect my judgment in respect to the pending legislation, I wish to say that I am not so affected. I am not prejudiced against the Bituminous Coal Commission.

I think now it was a useless thing for us to establish that Commission. I do not think we have gotten the beneficial results from it that we expected. My heart goes out to the great mining industry of this country and to those employed in that industry.

I have heard—and members of the committee can tell me whether it is true or not, and, of course, one hears a great deal—that it was stated in the committee that Mr. John L. Lewis, about whom we have all heard, had promised to pass this legislation, and it was going to be passed. Now I have never heard that the Senator made that remark. I say I did not hear that the Senator said that, but I understood it was said in the sessions of the Senate committee.

I do not like to pass legislation under whip and spur. Somehow or other I am not built just that way. Would the Senator object to establishing a limitation, say, of not more than \$25,000 authorized for this work per year? As the bill stands, there is no limit whatsoever.

Mr. NEELY. Mr. President, I have no idea what the cost of the operation of this inspection service will be; but if it is worth creating, its cost ought not to be limited without accurate data on which to base our action. I am compelled to oppose the amendment.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. HARRISON. I yield.

Mr. WHITE. The suggestion of the Senator from Mississippi [Mr. HARRISON] that there should be a limitation in amount on the cost of this service prompts me to call attention specifically to two sections of the bill. Both of them seem to be extraordinary sections. They ought to have a special interest to the Senator from Mississippi [Mr. HARRISON], who is charged with the obligation of suggesting a means for raising funds to carry on the Government, and they ought to be of interest also to the members of the Appropriations Committee.

Section 8 of the bill gives to the Secretary of the Interior authority to appoint, subject to the civil-service laws—

such officers and employees as he may deem requisite for the administration of this act.

There is a blanket authority, without limitation, with neither flooring nor ceiling, for the Secretary of the Interior to appoint anywhere from 1 to 10,000 employees for the administration of the act. I think the usual provision is that we authorize the appointment within the limit of appropriations made by the Congress for the carrying on of an activity of the Government. No such limitation is to be found in the bill.

Then we come to the authorization section, which authorizes the appropriation of "such sums as may be necessary for the due execution of this act." There is no limitation in amount, and no limitation as to time. That, too, seems to me to be an extraordinary provision; for, if I understand the practice of the legislative bodies, we usually authorize an appropriation of not to exceed such an amount for 1 year, and such an amount for another year. Somewhere in our authorizations we put a limit. However, these two provisions of the bill, as I say, are wide open, without ceiling of any character whatsoever.

Mr. GUFFEY. Mr. President, will the Senator from Mississippi yield?

Mr. HARRISON. I wish to ask one question, and then I shall yield to the Senator.

Is the bill recommended by the Secretary of the Interior, or anyone in the Government administrative service?

Mr. NEELY. I have no information concerning the attitude of the Secretary of the Interior toward the bill.

Mr. HARRISON. So far as the committee knows, it is not recommended by any department of the Government?

Mr. NEELY. So far as I know it is not.

Mr. HARRISON. I now yield to the Senator from Pennsylvania.

Mr. GUFFEY. For the information of my distinguished friend from Mississippi, I should like to say that the so-called Guffey Coal Act does not cost the Government a cent. The expenses are met by a small tax on the producers; and the only reason why the price has not been fixed is that such action has been fought for 4 years by the same operators who are now objecting to the passage of the safety bill which is pending before us today.

Mr. HARRISON. That is one of the reasons why I mentioned the Guffey Coal Act. The burden of administering the law is, in part, placed upon the operators.

Mr. GUFFEY. That is correct.

Mr. HARRISON. There is a burden, in view of the condition of the coal industry. It is very easy for an examiner or inspector to go out from the Federal administration, acting under the acquiescence or dictation or suggestions of certain gentlemen, and recommend to some operator some very great changes in the operation of his establishment, which would impose great additional expense. That was why I thought about the Guffey Coal Act in that connection.

Mr. GUFFEY. Legal objection has been made to the bill by operators in West Virginia and Kentucky—very few in Kentucky. I have yet to hear an operator in Pennsylvania complain about any burdensome tax in connection with the cost of administering the proposed law.

Mr. BARKLEY. Mr. President, I should also like to suggest that the coal operators were not by any means unanimous in opposing the Guffey coal bill. Many of them—in fact, I think three-fourths of the coal operators—were urging

the passage of such a law in order that the coal industry might be stabilized and put upon a sound basis.

Mr. HARRISON. I think the Senator is absolutely correct in that statement. I know that every coal operator who talked with me was for it.

Mr. BARKLEY. They were thoroughly familiar with the fact that the burden of the tax, which I believe was 1 cent a ton, was to be placed upon them in order to provide for the expense of the operation of the Guffey Coal Act.

Mr. REED. Mr. President, with the permission of the Senator from West Virginia [Mr. NEELY] I should like to answer the question of the Senator from Maine [Mr. WHITE].

I think perhaps nine-tenths of the bills which I recall, which have passed this body, contained substantially this language:

That there may be made available, out of sums not otherwise appropriated—

And so forth. I do not think 1 bill in 10 which passes the Senate fixes the amount to be spent. The Secretary of the Interior may not spend a cent under the provisions of this bill until the Congress has made the money available, and then he may spend only as much as the Congress makes available. There is no difference between this bill and nine-tenths of the bills which pass this body.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. REED. Yes.

Mr. WHITE. I disagree with the Senator as to the facts. However, whatever the facts may be, I still insist that it is unwise legislation to give authority to any official of the Government to appoint, without limitation, the employees he may seek. I also say that it is unwise to make an unlimited authorization. It is not common practice. I think the common practice is—and I think if the Senator will look over the bills which receive consideration by this body he will so find—that the authorizations are definite in amount. If they are not, they ought to be.

Mr. REED. Under this bill the Secretary of the Interior might appoint, but he could not pay a single employee until the Congress had acted and made an appropriation with which to carry out the provisions of the act.

Mr. NEELY. Mr. President, I ask unanimous consent to make a perfecting amendment. Section 7, on page 7, now reads, in part, as follows:

The Secretary of the Interior shall devolve the execution of the provisions of this act upon any of the existing bureaus or agencies under the Department of the Interior, for the execution of the provisions of this act.

The language is very unhappy. I move to amend it so as to read:

The Secretary of the Interior, when he deems it advisable, shall assign the execution of the provisions of this act to any of the existing bureaus or agencies under the Department of the Interior.

And that all the rest of the sentence should be stricken out.

The PRESIDING OFFICER. Without objection—

Mr. REED. Mr. President, reserving the right to object, I wish to say to the Senator from West Virginia that the Committee on Mines and Mining—and I am dreadfully sorry that the late Senator Logan from Kentucky is not here—framed that language deliberately and intentionally. In other words, it was not the intent of the committee that the Secretary of the Interior should wander around with this authority and put it anywhere he desired. We said that he "shall devolve the execution of the provisions of this act upon any of the existing bureaus or agencies under the Department of the Interior."

Mr. NEELY. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. NEELY. I am proposing to change not the meaning but the language.

Mr. REED. That is exactly what the committee intended to be done.

Mr. NEELY. I do not believe that the committee intended to repeat the words "the provisions of this act." I am merely

endeavoring to improve the language without changing the substance.

Mr. BARKLEY. Mr. President, if the Senator will yield, I think the use of the word "devolve" in that sense is a rather awkward way of expressing the intent. As I understand, the verb "devolve" is an intransitive verb. You do not devolve something upon somebody, but it devolves upon somebody. It seems to me the language suggested by the Senator from West Virginia accomplishes the same purpose, but in a little smoother way. The Secretary may not go outside the Department of the Interior to assign the execution of this work to various agencies. He is limited to the Department of the Interior.

Mr. REED. If the Senator wishes to say that the Secretary shall "assign" instead of "devolve," that is all right.

The PRESIDING OFFICER. The Chair suggests that the Senator reduce his amendment to writing and send it to the desk, so that the clerk may state the amendment for the information of the Senate.

Mr. NEELY. Mr. President, after a conference with the Senator from Kansas, I ask unanimous consent to amend the language so as to read as follows:

The Secretary of the Interior shall assign the execution of the provisions of this act to any of the existing bureaus or agencies under the Department of the Interior.

The PRESIDING OFFICER. Without objection—

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. NEELY. I yield.

Mr. ADAMS. Would it not be better if the word were "delegate" rather than "assign"?

Mr. NEELY. I am willing to accept that amendment. The word "devolve" certainly does not express the meaning the committee had in mind.

Mr. REED. I agree with the Senator from Colorado that the word "delegate" would be, perhaps, a good term. I do not find any fault, however, with "devolve" or "assign" or "delegate." I think they all amount to practically the same thing.

Mr. NEELY. Mr. President, I now ask unanimous consent to change the word "assign" to "delegate" so that after the amendment proposed is made, the sentence will read:

The Secretary of the Interior shall delegate the execution of the provisions of this act to any of the existing bureaus or agencies under the Department of the Interior.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. DAVIS and Mr. DANAHER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from West Virginia yield; and if so, to whom?

Mr. NEELY. I yield first to the Senator from Pennsylvania. Then I will yield to the Senator from Connecticut.

Mr. DAVIS. A moment or two ago the Senator from Mississippi directed a question to the Senator from West Virginia asking whether or not representatives of any State agency came before the committee. The Senator from West Virginia stated that he did not recall any Governor or any other State government official coming before the committee.

I know the Senator will appreciate my correcting the statement he made, because John Ira Thomas, secretary of mines of the Commonwealth of Pennsylvania, came before the committee and made a very fine statement, as did M. P. Rhinehart, the chief of the department of mines in the State of West Virginia.

Mr. NEELY. Mr. President, I thank the Senator from Pennsylvania for correcting the error which I unfortunately made. I now remember that the officials named testified before the committee.

Mr. DANAHER. Mr. President—

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Connecticut?

Mr. NEELY. I yield.

Mr. DANAHER. Mr. President, I wish to ask the Senator from West Virginia if the inspection that is sought by this

bill should not properly be extended to all mines? In other words, we could establish the very definite aid that the Senator from West Virginia has in mind if we simply struck from this bill the word "coal" wherever it appears, thus making it apply to mines of every class and character.

Mr. President, I have in mind the mining of silicate, for instance, in connection with which there results an occupational disease that is very deadly. There is no type of occupational disease any worse in its effect or continuing in its result than is silicosis. I point that out to the Senator and inquire if that would not come within the objective and aim of the Senator from West Virginia? If we were to strike out the word "coal" it would give jurisdiction to the Department of the Interior to take steps to obtain information relating to health conditions and occupational diseases in all mines. In that position, under the bill, conditions which should be corrected could be reported upon and corrective measures could be taken. I therefore ask the Senator from West Virginia to bear with me and accept an amendment to strike out the word "coal" wherever it appears in the bill.

Mr. NEELY. Mr. President, I am thoroughly in sympathy with the suggestion of the Senator from Connecticut, and if he or any other Senator will introduce a bill designed to effectuate the purpose to which he refers I will support it, but I hope no one will attempt to encumber the pending bill with the Senator's proposal, because it would mean additional opposition and possibly the defeat of this important measure.

Mr. REED. Mr. President, will the Senator yield?

Mr. NEELY. I yield.

Mr. REED. I may say to the Senator from Connecticut that I am familiar with the coal-mining business in my State, and, perhaps unfortunately, I have had some experience also with the metal-mining business in the State of Arizona. They are two entirely different kinds of mines. Coal mining is affected with a hazard that does not appear in metal mining at all, and that is the presence of natural gas and the accumulation of fine dust which will explode when it reaches a certain density in the entries in the coal mines.

The Senator from Connecticut is correct that there are occupational diseases resulting from other forms of mining. I am very proud that my State of Kansas now has taken action to correct the trouble caused by the inhaling of fine dust growing out of zinc and lead mining; and the largest combined zinc- and lead-mining operations in the United States is again a next-door neighbor to me.

But the problems there are entirely different from the problems in coal mining. I agree with the Senator from West Virginia, and I hope that we will not undertake to load this bill down with a provision of the kind he suggests.

I will say to the Senator from Connecticut I will vote for a bill if he desires to offer one of the type he suggests providing for an investigation of occupational diseases, the most serious of which in metal mining is silicosis. That disease is not incident to coal mining, but there are, among others, two very definite dangers in coal mining, explosions of natural gas and explosions of fine dust. Those are hazards that do not appear in other forms of mining.

Mr. NEELY. Mr. President, I move the adoption of the amendment.

Mr. BARKLEY. Mr. President, wait a moment. I inquire if the amendment offered by the Senator has been voted upon?

The PRESIDING OFFICER. It has. The question is on the first committee amendment which the Chair will consider amended, line 18, page 3, by striking out the word "cities" and inserting the word "States." With that correction, the question is on the first committee amendment as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The other amendments of the committee will be stated.

The CHIEF CLERK. On page 4, section 2, after line 10, it is proposed to strike out:

(b) Upon the submission to the Secretary of the Interior of a petition signed by a majority of the underground workers in a mine subject to the provisions of section 1, or signed by the

authorized employee representatives of a majority of the underground workers in such a mine;

And in line 18, after the word "accident", to strike out "or the facts disclosed in the petition", so as to make the section read:

Sec. 2. The Secretary of the Interior is further authorized and empowered to make or cause to be made the inspections and investigations provided for in section 1 of this act at other than annual intervals in the following situation:

Upon the occurrence of an accident involving bodily injury or loss of life in a mine subject to the provisions of section 1; if in the opinion of the Secretary of the Interior the circumstances of the accident or the facts disclosed in the petition indicate that the making of such inspections or investigations in the mine concerned will be in furtherance of the purposes of this act.

The amendment was agreed to.

The next amendment was, in section 6, page 6, after line 20, to strike out:

(d) To expend the funds made available to him for the protection or advancement of health or safety in coal mines, and for the prevention or relief of accidents or occupational diseases therein, in such lawful manner as he may deem most effective in the light of the information obtained under this act to promote the accomplishment of the objects for which such funds are granted;

So as to make the section read:

Sec. 6. The Secretary of the Interior is hereby authorized and directed—

(a) To report annually to the Congress, either in summary or detailed form, the information obtained by him under this act, together with such findings and comments thereon and such recommendations for legislative action as he may deem proper;

(b) To compile, analyze, and publish, either in summary or detailed form, the information obtained by him under this act, together with such findings concerning the causes of unhealthy or unsafe conditions, accidents, or occupational diseases in coal mines, and such recommendations for the prevention or amelioration of unhealthy or unsafe conditions, accidents, or occupational diseases in coal mines as he may deem proper;

(c) To prepare and disseminate reports, studies, statistics, and other educational materials pertaining to the protection or advancement of health or safety in coal mines and to the prevention or relief of accidents or occupational diseases in coal mines;

(d) To transmit to the Director of the Census, either in summary or detailed form, the information obtained by him under this act, for use in connection with the preparation and compilation of the various Census reports;

(e) To make available for public inspection, either in summary or detailed form, the information obtained under this act.

The amendment was agreed to.

The next amendment was, on page 7, section 7, line 10, after the word "Interior", to strike out "may" and insert "shall"; in line 13, after the word "Interior", to strike out "or may create such new offices or agencies thereunder as he may deem advisable"; and in line 18, after the word "Government", to insert "any State or Territorial government", so as to make the section read:

Sec. 7. The Secretary of the Interior shall devolve the execution of the provisions of this act upon any of the existing bureaus or agencies under the Department of the Interior for the execution of the provisions of this act. In the execution of the provisions of this act, the Secretary of the Interior may also utilize the services of any other instrumentality or agency of the Federal Government, any State or Territorial Government, authorized to make investigations or inspections pertaining to health or safety in coal mines, if the agency or instrumentality concerned consents to such utilization. The Secretary of the Interior may reimburse any such Federal agency or instrumentality for the services rendered by it out of any funds made available to him for the execution of the provisions of this act.

The amendment was agreed to.

The next amendment was, at the top of page 8, to strike out section 8, as follows:

Sec. 8. The Secretary of the Interior may, in his discretion, create and establish an advisory committee to exercise consultative functions, when required by the Secretary, in connection with the administration of this act. The said committee shall be composed of representatives of coal-mine owners and of representatives of coal-mine workers in equal number. The members of said committee shall be appointed by the Secretary of the Interior without regard to the civil-service laws, and shall receive such compensation for their services as the Secretary may fix, not to exceed \$10 for each day actually spent in the work of the committee, together with such necessary traveling and other expenses as may be allowed by the Secretary.

The amendment was agreed to.

The next amendment was, on page 8, new section 8, line 19, after the word "appointed", to strike out "and to prescribe the powers, duties, and responsibilities of all officers and employees engaged in the administration of this act: *Provided, however,* That in the selection of persons for appointment as coal-mine inspectors under this act due consideration shall be given to the experience of the applicant in underground mine work, and in detailing coal-mine inspectors to the inspection and investigation of individual mines due consideration shall be given to their experience in underground mine work in the mining area where such mine is located"; so as to make the section read:

SEC. 8. The Secretary of the Interior shall have authority to appoint, subject to the civil-service laws, such officers and employees as he may deem requisite for the administration of this act; to fix, subject to the Classification Act of 1923, as amended, the compensation of officers and employees so appointed.

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the sections will be renumbered by the clerk.

That completes the committee amendments.

Mr. HARRISON. Mr. President, I offer the amendment to section 9 which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 9, line 4, it is proposed to strike out the word "are" and insert the word "is"; and in line 6 to strike out "such sums as may be necessary for the due" and insert "a sum not to exceed \$25,000 annually."

Mr. REED. Mr. President, a parliamentary inquiry. May I ask the clerk to state the amendments again. They were not very clear.

The PRESIDING OFFICER. The clerk will again state the amendments.

The amendments were again stated.

Mr. HARRISON. Mr. President, what I seek to do is to strike out the unlimited authorization and provide that not more than \$25,000 annually shall be authorized to be appropriated for the purposes of the bill.

Mr. WHEELER. Mr. President, as a matter of fact, if we limit it to \$25,000 that would not bind the Appropriations Committees of Congress in the future. Let me say that if we are going to have inspection of the coal mines, \$25,000 would not begin to cover it. In the State of Montana there are approximately six or seven different coal districts. There are many coal districts in Pennsylvania, in Kentucky, in Ohio, and in other States of the country. I would not have any objection to limiting the amount, but I think \$25,000 would be entirely inadequate.

Mr. HARRISON. I do not know whether or not the Senator from Montana was present, but we have heard some very eloquent speeches by very distinguished gentlemen, some of whom have been governors of their respective States, praising the fine work of mine protection under the laws of their States and the manner in which those laws are now being enforced. Furthermore, the Senators in charge of this bill have stated that its execution would not require much money.

Mr. WHEELER. I know in my own State the laws in reference to coal mines are being well executed, but, on the other hand, if we are going to have this inspection I am sure that \$25,000 would not possibly cover it.

Mr. REED. Mr. President, will the Senator from Mississippi allow me to ask a question of the Senator from Montana?

Mr. HARRISON. Yes.

Mr. REED. The member of the Mines and Mining Committee did not undertake to determine the cost. I think the substitution of the word "is" for the word "are," as proposed by the Senator from Mississippi, is a very good suggestion. I think the Senator from Montana will agree with me that he would rather leave the amount of money to be appropriated for the administration of this bill, if enacted, to the Appropriations Committee, which could hold suitable hearings and interview the proper officials and determine the amount. As a member of the Mines and Mining Committee that reported

the bill, I frankly say I do not know what the amount should be.

Mr. WHEELER. That was my own thought about it.

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. HARRISON. Mr. President, I do not agree with the Senator from Montana, who says that putting a limitation of not over \$25,000 would not prevent the Appropriations Committee from appropriating more. I do not know what authority they would have to make the appropriation if we wrote in the law a limitation that not more than \$25,000 in any one year could be appropriated.

Mr. WHEELER. One Congress cannot bind the next Congress with reference to legislation.

Mr. HARRISON. I appreciate that the Congress could amend this law.

Mr. WHEELER. I think they could change the amount without amending the law, because of the fact that one Congress cannot bind another Congress.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WHEELER. I have the floor. I will yield to the Senator in just a second.

Even if we took the attitude of the Senator from Mississippi with reference to the matter, certainly we should not limit every Congress for the next 50 or 100 years to \$25,000 with reference to this matter. We ought to have some experience with the administration of the law and find out the amount necessary, and we ought to call before the Appropriations Committee the people who know something about it and ask them for their views with reference to it, and let the Appropriations Committee appropriate the necessary amount.

Mr. BARKLEY. Mr. President, will the Senator now yield?

Mr. WHEELER. I yield to the Senator from Kentucky.

Mr. BARKLEY. I agree with the Senator from Mississippi in interpreting the language which he offers as a limitation on the authority of Congress to appropriate money; and in any appropriation bill which exceeded that amount the excess would be subject to a point of order, because the excess had not been authorized.

That is an additional reason why I cannot support the amendment of the Senator from Mississippi, because, if we limit the authorization in this bill, before any more can be appropriated Congress must amend the limitation of the authorization so that the Appropriations Committee will be authorized to bring in a provision carrying a larger amount.

I agree with the Senator from Montana that nobody can tell how much this inspection will cost. We hope it will not be expensive; but a limitation of \$25,000 would not permit the employment of more than a dozen inspectors at \$2,000 per year, which, I should say, would be the minimum we would expect to pay any competent inspector.

Mr. WHEELER. It would not permit the employment of that many.

Mr. BARKLEY. And the employment of 12 inspectors to inspect all the coal mines in the United States would not be an efficient administration of this act.

Mr. WHEELER. Not only that, but their expenses would have to be paid.

Mr. BARKLEY. If the Senator from Mississippi will consider a suggestion, I think what we can accomplish, and what there is no objection to from my viewpoint, would be the following: Instead of his amendment limiting the amount to \$25,000, so that the Appropriations Committee could never exceed it without an amendment of the authority, if the bill were amended on page 8, section 8, so as to read—

The Secretary of the Interior shall have authority to appoint, subject to the civil-service laws, and within the appropriations provided therefor, such officers and employees—

Then the number provided for each year in the appropriation could be appointed; and that, it seems to me, would accomplish what is desired.

Mr. WHEELER. I agree with the Senator. I will also say that, if we are going to limit the appropriation, it seems to me we should not limit it for more than 1 year, because no one in this body knows at this time just how many employees will

be needed. If 12 men were appointed, they could not possibly do the job we want to have done, because certainly they could not be paid less than \$2,000 per year, and then their traveling expenses would have to be paid. We should simply be making the bill ineffective by limiting the total expenditure to \$25,000 per year. We might just as well not pass any legislation at all.

Mr. GUFFEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. GUFFEY. In Pennsylvania at the present time the law provides for 26 bituminous-coal inspectors at salaries in excess of \$3,000 per year, and 24 anthracite inspectors. We spend over \$400,000 per year in the inspection of coal mines in Pennsylvania. I think we have the best law and the best inspection. So far as I know, the operators in Pennsylvania are not objecting to this legislation to any great extent; and, as I said awhile ago, the same persons who objected to the terms of this bill are now delaying the completion of the hearings on the Guffey coal bill.

For the information of the Senator from Mississippi and my other colleagues, I should also like to say that this bill was drafted by the Bureau of Mines, and sent by the Bureau of Mines to the committee, and submitted through the Senator from West Virginia [Mr. NEELY] to the committee.

Mr. HARRISON. Did the Bureau of Mines recommend this legislation?

Mr. GUFFEY. They did.

Mr. HARRISON. Before the committee?

Mr. GUFFEY. I do not know that they did before the committee, but I know they drafted the legislation.

Mr. HARRISON. Was any testimony taken before the committee?

Mr. NEELY. No; the Bureau of Mines did not have any representative before the committee.

Mr. WHEELER. Mr. President, I should like to say to the Senator from Mississippi that we have a great many coal operators in my State. I have not heard from a single coal operator in protest against this bill. Not a single soul has ever suggested to me that he had any opposition to it, and I certainly think I would have heard from them if they had had any opposition to it. On the other hand, there has been a demand for it upon the part of the coal miners in my State, saying that they thought it necessary to have the bill enacted.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. WHEELER. I yield to the Senator.

Mr. HARRISON. I may say to the Senator from Montana that we received the other day a Budget message which is of the utmost importance in character; and the more legislation we pass here authorizing appropriations, the more it is going to come back to plague the Senate and the House before we adjourn, either in relation to increasing the national debt or in relation to piling on additional taxes.

So it seems to me we ought to proceed as conservatively as possible. I so often hear that word that I like to use it, because I sometimes feel honored when it is said that I am somewhat conservative; but there ought to be a limitation on this authorization, and no limitation is carried in it. So far as that is concerned, if Mr. Ickes should obtain the approval of the President he could come before the appropriations Committee and request \$500,000,000 for this job, and the authorization for it would be here.

I think there ought to be a limitation; that is all. If \$25,000 is not enough, let us make it \$50,000. Let us have a little harmony.

Mr. WHEELER. Mr. President, it seems to me any limitation on the amount in this bill should be confined to the first year. Then the Department will have a chance to study the matter and find out how much money is required to administer the act. Certainly nobody thinks Mr. Ickes would be able to run away with the Appropriations Committee of the Senate, and I do not believe he would be able to run away with the Appropriations Committee of the House, even if he wanted to.

Mr. HARRISON. Mr. President, I will modify my amendment so as to authorize \$25,000 during the fiscal year 1941, and thereafter \$50,000 annually.

Mr. REED. Mr. President, I beg the Senator from Mississippi not to insist upon that amendment. Nobody can tell now what it is going to cost to administer this bill. We all hope it will not cost very much. Nobody is going to be in so good a position to say what should be appropriated as the Appropriations Committee will be after they have had before them the proper persons, and have obtained the proper information.

I hope the Senator from Mississippi will not insist upon an amendment fixing an amount. I think we can safely trust the Appropriations Committee to hold the appropriation down to the minimum amount that it finds to be necessary for the administration of the bill. If we put a limitation of \$100,000 in the bill we might find it was too much.

I agree with the Senator from Montana that a limitation of the amount to \$25,000 would make the bill absurd. We spend more than that in the State of Kansas in the inspection of coal mines. We are not a great coal-mining State, and yet we have about 8 or 10 mine inspectors. I do not exactly remember the number. That is, we have a chief inspector and deputy inspectors, and we spend a great deal more than \$25,000.

I do not expect the Government of the United States to duplicate the inspection in the States that have good laws. I think they will pass by Kansas and Pennsylvania and some of the other States without paying much attention to them; but I think it would be a mistake to impose a limitation, and I hope the Senator from Mississippi will not insist upon trying to insert any amount, be it large or small, in the bill.

Mr. HARRISON. Mr. President, I should like to ask the Senator from Kansas a question, because he is usually willing to cooperate. The Senator has stated that no estimate is given as to the cost of administration involved in this bill. That is correct, is it not?

Mr. REED. So far as my knowledge goes.

Mr. HARRISON. So far as the record shows. That is what other Senators say. Would the Senator be willing just to let this matter lie in abeyance until we can obtain from the Secretary of the Interior some estimate as to what amount he wants to have placed in the bill?

Mr. REED. No; I should like to dispose of this matter today. I have voted, and the Senator knows that I have voted, with the Appropriations Committee, and usually take its recommendations; and I stand here today and say that I will take on this bill the recommendations and the amount fixed by the Appropriations Committee after it has adequate information from the people who know.

Mr. NEELY. Mr. President, I do not want to continue the debate. I hope that we may have a vote at once. But I remind the friends of the proposed legislation that a vote for the amendment is equivalent to a vote against the bill. It will be utterly worthless if the amendment is adopted.

There are 6,000 mines in the United States to be investigated and examined; and, of course, as the Senator from Montana has said, \$25,000 is simply a ridiculous sum to suggest as compensation for this service. There ought to be no limitation in the bill. The amount should be left to the Appropriations Committee. With Members like the distinguished Senator from Virginia [Mr. GLASS] on the Appropriations Committee, there is not the slightest danger that Mr. Ickes or anyone else will obtain a greater appropriation than the facts justify and the case demands.

Mr. BARKLEY. Mr. President, just a word. I always find it unpleasant to oppose any amendment offered by my friend the Senator from Mississippi, but I am compelled to oppose this one, because I think it is unusual, in a bill of this character, to fix a limitation on the amount that the Appropriations Committee may recommend for its administration. It is not done in 1 case out of 20, as I recall the legislative history of such bills. I entirely agree that we cannot tell what this bill will cost until there has been some experience in its administration.

I do not think the appropriation of \$25,000 would be of any value, if it is to cost anything at all to do this work, because there will have to be a sufficient number of inspectors to go

into all the mines once a year. It would mean that they would be all-time employees, that they would have no vacations, in all likelihood. A dozen inspectors, which number would consume the entire \$25,000, to say nothing about traveling expenses, would not be able to get around during the year and inspect all the mines.

I think this amendment should be rejected, and if it is rejected, unless someone else shall offer an amendment, I will offer one in section 8, so as to make the section read:

The Secretary of the Interior shall have authority to appoint, subject to the civil-service laws, and within the appropriations provided therefor—

And so forth. That would leave it each year to the Committee on Appropriations to determine how many of these inspectors could be appointed, and I think that should be a fair settlement of the matter. If the Senator from Mississippi could accept that proposal, so that the matter would be left each year to the Committee on Appropriations, he might feel that he could withdraw his amendment.

Mr. REED. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. REED. I do not consider myself as being in charge of the bill, the Senator from West Virginia having introduced the bill. I merely happen to be a member of the committee which considered it and reported it, but if the Senator from West Virginia will agree, so far as I have any authority I shall be very happy to accept the suggestion made by the Senator from Kentucky and agree that the language he suggests shall be written into the bill. What was the language?

Mr. BARKLEY. "Within the appropriations provided therefor," so that the Secretary of the Interior could not appoint anyone beyond the appropriations provided by Congress for the purpose.

Mr. NEELY. Mr. President, the Secretary of the Interior undoubtedly would not appoint anyone who was not within the purview of the appropriations, anyway, so I shall not prolong the agony by resisting the suggestion of the Senator from Kentucky.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Mississippi [Mr. HARRISON].

Mr. HARRISON. Mr. President, I withdraw the amendment.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BARKLEY. Mr. President, I offer the amendment which I have heretofore suggested.

The PRESIDING OFFICER. The Clerk will state the amendment.

The CHIEF CLERK. On page 8, line 15, after the word "laws" and the comma, it is proposed to insert the words "and within the appropriations therefor" and a comma.

The amendment was agreed to.

Mr. DANAHER. Mr. President, I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The Clerk will state the amendment.

The CHIEF CLERK. It is proposed to strike out the word "coal" wherever it appears.

Mr. DANAHER. Mr. President, let me briefly recall the declared objectives of the bill. They are to assist those engaged in hazardous occupations by eliminating the occupational diseases commonly incident to work in mines. The conditions which it is desired to remedy do not exist only in coal mines—they exist in a great many other mines—and we can accomplish the entire objective by merely striking the word "coal" from the bill wherever it appears.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut. The amendment was rejected.

The PRESIDING OFFICER. If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 2420) was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. MINTON in the chair) laid before the Senate messages from the President of the United States submitting sundry Army nominations and withdrawing a nomination, which were referred to the Committee on Military Affairs.

(For nominations this day received and nomination withdrawn, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nomination on the calendar passed over at the time of the last call of the calendar.

The legislative clerk read the nomination of Jessie B. Searle to be postmaster at Redrock, Okla.

Mr. BARKLEY. Mr. President, on the last call of the Executive Calendar the nomination of Jessie B. Searle was passed over at the request of the Senator from Tennessee [Mr. McKELLAR]. I do not know whether the circumstances have been altered which resulted in the nomination being passed over, but I suggest that it still be passed over.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

RURAL ELECTRIFICATION ADMINISTRATION

The legislative clerk read the nomination of Harry Slattery, of South Carolina, to be Administrator.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

WORK PROJECTS ADMINISTRATION

The legislative clerk read the nomination of Lawrence Westbrook, of Texas, to be regional director in region VI.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc. That concludes the Executive Calendar.

ADJOURNMENT

The Senate resumed legislative session.

Mr. BARKLEY. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 30 minutes p. m.) the Senate adjourned until tomorrow, Friday, January 19, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, January 18, 1940

APPOINTMENT BY TRANSFER IN THE REGULAR ARMY TO COAST ARTILLERY CORPS

Second Lt. Alfred Allen Maybach, Infantry, with rank from June 12, 1937.

PROMOTIONS IN THE REGULAR ARMY

MEDICAL CORPS

To be lieutenant colonel

Maj. James Rhea McDowell, Medical Corps, from February 8, 1940.

To be captains

First Lt. John Brancato, Medical Corps, from February 5, 1940.

First Lt. Eldred La Monte Gann, Medical Corps, from February 28, 1940.

DENTAL CORPS

To be captains

First Lt. Thayne Foster McManis, Dental Corps, from February 1, 1940.

First Lt. Francis Emmett Cummings, Dental Corps, from February 1, 1940.

VETERINARY CORPS

To be captain

First Lt. Don Lee Mace, Veterinary Corps, from February 10, 1940.

CHAPLAIN

To be chaplain with the rank of lieutenant colonel

Chaplain Paul Bertram Rupp (major), United States Army, from February 5, 1940.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 18, 1940

RURAL ELECTRIFICATION ADMINISTRATION

Harry Slattery to be Administrator of the Rural Electrification Administration.

WORK PROJECTS ADMINISTRATION

Lawrence Westbook to be regional director, Work Projects Administration, for region VI.

POSTMASTERS

DELAWARE

Charles F. Wilson, Harrington.
Charles J. Gormley, Hockessin.
Roland F. Quillin, Laurel.
Inga K. Tubbs, Selbyville.
Davis H. Bell, Smyrna.
Edwin J. Touhey, Yorklyn.

INDIANA

Lloyd L. Locke, Bridgeport.
Geraldine Marquis, Bunker Hill.
Irvin J. L. Harmeier, Cambridge City.
Clyde E. Perigo, Chandler.
Homer L. Mitchell, Clinton.
Harvey E. Hull, Cromwell.
Clarence T. Custer, Dupont.
Raymond McClain, Greenwood.
Russell Armstrong, Hazelton.
Ray Friday, Idaville.
William S. Courtney, Jamestown.
Ralph L. Strickler, Ladoga.
Stella Cisco, Madison.
Justina E. Meyer, Monroeville.
John E. Lehr, Mulberry.
Perry H. McCormick, North Judson.
Milton E. Storer, St. Joe.
Asa E. Reynolds, Wabash.

KENTUCKY

Roy H. Stiles, Cecilia.
Richard T. Von Hoene, Covington.
Mildred Fiechter, Cumberland.
Lola McCoy, Dry Ridge.
Oddie E. Culp, Gilbertsville.
Susannah Elizabeth Forston, Lyndon.
Theodore C. Campbell, Springfield.

MICHIGAN

William B. Horsey, Auburn Heights.

OKLAHOMA

Robert Nash, Antlers.
Ortho Voorhees Stevens, Collinsville.
Ernest R. Unger, Sapulpa.
Eliam A. Davis, Thomas.

WISCONSIN

Joseph A. Kumhera, Almena.
Otto Hussa, Bangor.
Roland J. Osborne, Baraboo.
John V. Kircher, Barton.

Selmer M. Alvey, Bruce.
Louis F. Reuschlein, Burlington.
John Agnew, Cadott.
William J. Sullivan, Campbellsport.
Myrvin C. Hoey, Centuria.
Lincoln C. Holmes, Clear Lake.
Oliver R. Weinandy, Cochrane.
Mortimer M. Bartley, Columbus.
Nels O. Neprud, Coon Valley.
Sherman V. Wolf, Crivitz.
Josephine M. De Lano, Elm Grove.
Samuel M. Hogenson, Ephraim.
John H. Poh, Forestville.
Florence M. Kuehl, Genesee Depot.
August B. Zabolio, Genoa.
Joseph W. Sazama, Hatley.
John P. Peterson, Hawkins.
William A. Christians, Jr., Johnson Creek.
Alfred C. Grosvenor, Kenosha.
Hallie M. Norris, La Farge.
Hazel I. Hicks, Linden.
Orin W. Livingston, Livingston.
Philip A. Kinney, Mason.
David A. Holmes, Milton.
Elsie T. Abraham, Minocqua.
Norman H. Adams, Minong.
August W. Schiereck, Plymouth.
Clifford T. Peterson, Poplar.
Paul G. Pederson, Prairie Farm.
William F. Garvin, Rio.
Agn K. Means, Rothschild.
Stannie Sigurdson, Sister Bay.
Mae B. McCoy, Sparta.
Laurence Driscoll, Spencer.
Ferdinand A. Hirzy, Stevens Point.
Pearl E. Boots, Sussex.
Gaylord Helmick, Three Lakes.
Thomas J. Kelley, Tomahawk.
Nyole E. Creed, Unity.
Harry P. Bowen, Watertown.
Magnus Magnusson, Washington Island.
John Michels, Waunakee.
Harold J. Christ, Wausaukee.
Edmund L. Premeau, Westboro.
Carl C. Schlecht, Woodruff.

WITHDRAWAL

Executive nomination withdrawn from the Senate January 18, 1940

POSTMASTER

CONNECTICUT

Edward J. Champion to be postmaster at Eagleville, in the State of Connecticut.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 18, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Spera Montgomery, D. D., offered the following prayer:

Blessed Lord and Master, whose heart is fatherly and pitying, we pray Thee to inspire us that the tides of Thy spirit may bring to us cleansing, refreshment, and power; enable us to hold high the honor of the soul. Teach us the lesson that Thou wouldst have us learn—the virtue of humility, the nature of real wealth, and that life is more than meat. O Heavenly Father, these are the virtues that will enable us to regain our lost estate and our self-mastery.

Remember the youth, dear Lord, who crowd the schools of our country. Allow no barriers of security to be broken down nor habits to creep in to weaken the strength of their characters. Oh, keep and shelter all those boys and girls who crowd through the gates of the city to face the tempta-

tions and struggles of city life. Do Thou hear the prayers from the home altars of hillside and prairie, prayed on behalf of them who have left their own firesides. We beseech Thee, Heavenly Father, that the youth of our land may find their way to the church of the living God and to the altar of prayer. In the Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On January 13:

H. R. 6832. An act to provide for the protection of witnesses appearing before any department, independent establishment, or other agency of the United States, or the Congress of the United States.

On January 17:

H. R. 884. An act to add certain lands to the Siuslaw National Forest in the State of Oregon;

H. R. 3051. An act for the relief of certain workers performing emergency work at Cairo, Ill., in the Ohio River flood of 1937;

H. R. 3363. An act for the relief of the American Insurance Co. of New Jersey;

H. R. 3912. An act for the relief of the heirs of John Cauley, deceased;

H. R. 4813. An act for the relief of the estates of Marie R. Morkovsky and Alphons Morkovsky, both deceased;

H. R. 5369. An act for the relief of Maj. Noe C. Killian;

H. R. 5919. An act to provide for the refunding of the bonds of municipal corporations and public-utility districts in the Territory of Alaska, to validate bonds which have heretofore been issued by a municipal corporation or any public-utility district in the Territory of Alaska, and for other purposes;

H. R. 6804. An act for the relief of George E. Miller; and

H. R. 7327. An act for the relief of the Nevada Silica Sands, Inc.

EXTENSION OF REMARKS

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and to include therein a bill which I am introducing to extend opportunities at Annapolis and West Point for the sons of disabled war veterans.

Mr. RAYBURN. Mr. Speaker, reserving the right to object, I trust the gentleman from Connecticut will not insist upon his request. So many similar requests occurred last year that I had to make the announcement that when there was a legislative program in the House for that day I would object to speeches being extended in the RECORD before consideration of the legislative program. I would much prefer that the gentleman extend his remarks in the Appendix.

Mr. SHANLEY. Or I might ask for a special order at the end of the proceedings today.

Mr. RAYBURN. Yes; the gentleman could do that.

Mr. SHANLEY. Mr. Speaker, I withdraw my previous request and ask unanimous consent that at the conclusion of the legislative business for the day and any other special order that may have been entered I may address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

THE LATE HONORABLE ARSENE P. PUJO

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DEROUEN. Mr. Speaker, it is with deep regret that I announce the death of Hon. Arsene P. Pujo, former Representative from the Seventh Congressional District of Louisiana, Democrat and eminent statesman of the Theodore Roosevelt era.

As a Member of the House of Representatives, Mr. Pujo represented the people of the district whom I have the great honor to represent at this time. The older Members of this body will remember the splendid service which he rendered here, particularly his services as chairman of the Banking and Currency Committee and subcommittee investigating the Money Trust in 1912.

Mr. Pujo was born at Rose Bluff on the Calcasieu River, a few miles below Lake Charles, La., on December 16, 1861, the son of Paul Pujo and Eloise Minerva LeBleu Pujo. His father, Paul Pujo, was born at Tarbes, Hautes-Pyrénées, France, May 4, 1815. Pascal Pujo, his grandfather, was a soldier in Napoleon's armies. Rose Margaret de Broca, grandmother of Arsene P. Pujo, was a daughter of Count Paul Francois de Broca, of Tieste, Hautes-Pyrénées, France.

Educated in the public and private schools of Lake Charles, former Congressman Pujo was admitted to the bar in 1886, and practiced in Lake Charles until his demise, January 1, 1940. In 1889 he married Miss Gussie Brown, of Orange, Tex., and of this union were born his two surviving daughters—Mrs. Elaine Pujo Riley, wife of W. Boatner Riley, and Mrs. Mona Pujo Molter, wife of Col. Bennett Molter, both of New Orleans.

Elected a Member of the Fifty-seventh Congress from the Seventh Louisiana District, this able statesman, whose name was a household word throughout America at the turn of the century, served in Congress from March 3, 1903, until his retirement in March 1913. He is best remembered for his leadership in the so-called Money Trust investigation of 1912, conducted by the Banking and Currency Committee and a subcommittee thereof, over both of which he presided as chairman. This was the climax of the Lake Charles man's brilliant career in national politics, as he retired at the end of his term of the Sixty-second Congress, and the data assembled and the report made to Congress by the Pujo committee showed plainly the necessity of remedial financial and monetary legislation as a means of preventing financial panics.

The investigation, for which Samuel Untermyer was engaged as counsel for the committee, continued after Mr. Pujo's retirement from Congress in 1913 under the chairmanship of CARTER GLASS, of Virginia, and resulted in the Federal Reserve Act.

Distinguished by devotion to duty, mastery of details, a friendly manner, and the respect in which he was held by political friend and foe, Arsene Pujo bore with becoming grace the honors which were awarded his industry and ability. A consistent Democrat, intimates declare he was a man of individualistic views. His loyalty to his constituents can best be summed up in the simple phrase, "servant and agent of the people."

I speak for the entire Louisiana delegation in endorsing the prominent and useful life which former Representative Pujo so richly enjoyed. He will be missed by the State which honored him many times, and his death is mourned by his many friends.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute to make an announcement.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Speaker, I wish to announce that because of illness my colleague the gentleman from Mississippi [Mr. COLLINS] is unable to be present today.

EQUALIZATION OF SALARIES OF LETTER CARRIERS—CONFERENCE REPORT

Mr. BURCH. Mr. Speaker, I present a conference report and statement on the bill (H. R. 2001) for the equalization of letter carriers, for printing in the RECORD under the rule.

EXTENSION OF REMARKS

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the occasion of the passing of one of our distinguished leaders, Dr. Kelly Miller, a great educator, and to include his last interview with Frederic Wile.

The SPEAKER. Without objection, it is so ordered.
There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.
There was no objection.

Mr. VOORHIS of California. Mr. Speaker, in recent months there has been a good deal of interest in a certain bill that I introduced providing for what I call a constitutional and scientific monetary system. A great many people have sent petitions in requesting that hearings be granted on this bill. On one occasion at least the notices of those petitions consumed several pages of the RECORD. Of course, the right of petition is guaranteed to the people by the Constitution itself, but I asked for this time in order to give some encouragement to my good friends, notably the gentleman from Pennsylvania, because today I have only 1 petition which has 1,131 names on it, the notice of which, however, will take only a tiny paragraph in the RECORD, but it indicates quite as much support to the bill. I want to extend my heartfelt thanks here before the House to Mr. Roy Howard, of Arcadia, who circulated this petition without even being asked to do so and without gaining one single thing for himself except the knowledge that he has signally served a just cause in which he, like myself, earnestly believes.

EXTENSION OF REMARKS

Mr. BUCKLER of Minnesota. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a resolution passed by the Farm-Labor Association of Minnesota.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. BUCKLER]?

There was no objection.

Mr. LEMKE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein two short opinions of the Supreme Court of the United States in regard to section 75 of the Bankruptcy Act.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota [Mr. LEMKE]?

There was no objection.

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to be permitted to quote from House reports and decisions of the courts in regard to Indian jurisdictional claims. I apprehend this will exceed the allowable limit, but it is within the \$45 additional limit.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota [Mr. BURDICK]?

There was no objection.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short weekly letter from a former Member of this body, Congressman Pettengill, on a subject that is uppermost in the minds of most of the American people, and I am sure it is uppermost in the minds of most of the Members of this House—the Dies committee.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. MASON]?

There was no objection.

Mr. DITTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a radio talk that I gave over the Columbia Broadcasting System on January 6.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. DITTER]?

There was no objection.

CALL OF THE HOUSE

Mr. HINSHAW. Mr. Speaker, I make the point of order that there is not a quorum present.

The SPEAKER. Obviously there is not a quorum present.
Mr. WOODRUM of Virginia. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 7]

Allen, La.	Dies	Johnson, Okla.	Randolph
Austin	Douglas	Kelly	Reece, Tenn.
Barton	Edmiston	Kirwan	Risk
Bell	Elliott	Knutson	Romjue
Boland	Evans	Lea	Sabath
Buckley, N. Y.	Fernandez	McDowell	Schwert
Byrne, N. Y.	Flannery	McGranery	Shannon
Byron	Folger	McKeough	Short
Casey, Mass.	Ford, Miss.	McMillan, Clara	Smith, Va.
Celler	Ford, Leland M.	Maclejewski	Somers, N. Y.
Chapman	Geyer, Calif.	Maloney	Steagall
Clark	Green	Mansfield	Sullivan
Cole, Md.	Gross	Merritt	Taylor
Collins	Hall, Leonard W.	Mouton	West
Creal	Hawks	Murdock, Ariz.	Wheat
Crosser	Hennings	Norton	Wigglesworth
Crowther	Hinshaw	O'Brien	Wolfenden, Pa.
Culkin	Hope	Osmer	Wolverton, N. J.
Darden	Jarrett	Parsons	Wood
Darrow	Jeffries	Plumley	

The SPEAKER. Three hundred and forty-four Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ARMY AIR CORPS EXHIBITION

Mr. HARTER of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARTER of Ohio. Mr. Speaker, you have all received invitations to attend the exhibition to be given by the Army Air Corps at Bolling Field tomorrow afternoon. There will be demonstrated there the latest developments in aircraft and aeronautical supplies. I hope as many of you will attend as can conveniently find it possible. You will find there the most modern military planes, and you will have an opportunity of seeing how the money that has been appropriated by the Congress for the expansion of the Air Corps is being expended.

ANNOUNCEMENT

Mr. HEALEY. Mr. Speaker, I wish to announce that my colleague the gentleman from Virginia [Mr. SMITH] was not present during the quorum call just completed because of his presence at a meeting of the Special Committee to Investigate the National Labor Relations Board.

EXTENSION OF REMARKS

Mr. ANDERSON of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the National Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. PATRICK asked and was given permission to extend his own remarks in the RECORD.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to revise and extend in the RECORD the remarks I made on the floor of the House yesterday.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. BUCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution adopted by the Young Democrats Club of Sacramento.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDMENT OF BANKRUPTCY ACT

Mr. SUMNERS of Texas. Mr. Speaker, with the agreement of the Committee on the Judiciary, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6505) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas? (After a pause.) The Chair hears none, and appoints the following conferees: Mr. SUMNERS of Texas, Mr. CELLER, Mr. McLAUGHLIN, Mr. GUYER of Kansas, and Mr. REED of Illinois.

GOLDEN GATE INTERNATIONAL EXPOSITION

Mr. HAVENNER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 419) to amend the joint resolution entitled "Joint resolution providing for the importation of articles free from tariff or customs duty for the purpose of exhibition at the Golden Gate International Exposition to be held at San Francisco, Calif., in 1939, and for other purposes," approved May 18, 1937, as amended.

The Clerk read the title of the joint resolution.

The Clerk read the joint resolution as follows:

Resolved, etc., That the joint resolution entitled "Joint resolution providing for the importation of articles free from tariff or customs duty for the purpose of exhibition at the Golden Gate International Exposition to be held at San Francisco, Calif., in 1939, and for other purposes," approved May 18, 1937, as amended, is amended by striking out the words "within 3 months" wherever appearing therein and inserting in lieu thereof the words "within 6 months."

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. WOODRUM of Virginia. Mr. Speaker, I reserve the right to object until the gentleman makes some explanation of what the joint resolution covers.

Mr. HAVENNER. Mr. Speaker, this joint resolution merely amends a similar resolution passed by the Congress 2 years ago by extending the time limit on the importation of articles free of tariff or customs duty for the purpose of exhibition at the Golden Gate International Exposition; and, by an amendment of the Committee on Ways and Means, a similar extension is provided for articles imported for purposes of exhibition at the New York World's Fair. This merely authorizes an extension of time, which is made necessary at this time by reason of the fact that the previous act will expire on January 29.

Mr. WOODRUM of Virginia. Is not the exposition over?

Mr. HAVENNER. The exposition will be continued during 1940, as will the New York World's Fair.

Mr. WOODRUM of Virginia. Does the passage of this resolution in any way, directly or indirectly, commit the Congress to any further appropriation of funds?

Mr. HAVENNER. It does not. It is presented merely for the purpose of enabling the Congress to consider any future legislation that may be submitted.

Mr. WOODRUM of Virginia. The passage of this resolution will not be construed by my colleague as any intimation whatever that Congress will be obligated to appropriate any additional funds?

Mr. HAVENNER. It will not.

Mr. DIRKSEN. Reserving the right to object, Mr. Speaker, may I ask the gentleman if the goods on which the tariff is relented are used for commercial purposes on the exposition grounds? For instance, are they used for serving lunches or serving drinks to the people in competition with the restaurant facilities in that area, and is private profit derived as a result of the sale of the articles on which the tariff is removed?

Mr. BUCK. Reserving the right to object, will the gentleman from California permit me to answer that question?

Mr. HAVENNER. I shall be pleased to have the gentleman answer the question.

Mr. BUCK. No duties are abrogated or removed. As soon as a sale is made on or off the exposition grounds, the duty must be paid on the article sold. However, the importers who brought in their goods for exhibition have 3 months after the close of the two expositions either to remove the goods involved and return them to the country of exportation or to destroy them. This period expires on the 29th of this month. It is desired to permit the importers to retain their goods in the United States, under the present condition of paying duty when a sale is made, until the reopening of the two expositions.

Mr. RICH. Reserving the right to object, Mr. Speaker, may I ask the gentleman from California if this will in any way cause the Members of Congress to realize that the delegation from California will ask us for an additional appropriation for the fair in California?

Mr. BUCK. I believe the gentleman from California [Mr. HAVENNER] has already answered that question.

Mr. SCHAFER of Wisconsin. Reserving the right to object in order to ask a question, Mr. Speaker, I see from the press that the Communist Soviet Government is withdrawing from the fair. If this resolution is enacted, will the Soviet Communist Government still be permitted to bring its exports into America for sale under this resolution?

Mr. HAVENNER. As far as I know, the Soviet Government did not bring any exhibits to San Francisco, I may say to the gentleman from Wisconsin, but I presume that this resolution would apply to them. The resolution as drawn applies, as far as San Francisco is at present concerned, to the Latin-American republics, China, and the Philippines. I believe, however, that it may be amended in order to apply to all foreign governments.

Mr. BUCK. Further reserving the right to object in order to answer the gentleman from Wisconsin, may I say that I understand the Russian exhibits, whatever they may be, have already been removed or will be removed shortly. The Russian imports that were exhibited at New York—there were none at San Francisco—have either already been shipped back to Russia or will be returned shortly.

Mr. SCHAFER of Wisconsin. If this resolution extending the time becomes law, the Russian Government will not come under it, except for actual exhibits at the fair, and since they have withdrawn from the fair, they will not be using this as a vehicle to sell their goods here in America.

Mr. BUCK. That is my understanding, but even if they did sell them, they would have to pay the full duty.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 2, after line 3, insert:
"Sec. 2. That the joint resolution entitled 'Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the New York World's Fair 1939, New York City, N. Y., to be admitted without payment of tariff, and for other purposes,' approved August 16, 1937, as amended, is amended by striking out the words 'within 3 months' wherever appearing therein and inserting in lieu thereof the words 'within 6 months.'"

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a radio speech therein.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address by John W. Carmody, Public Works Administrator.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

THE LATE WILLIAM I. SIROVICH

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point a resolution adopted by the Committee on Patents in executive session this morning on the death of our late colleague, Hon. William I. Sirovich, of New York.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The matter referred to follows:

RESOLUTION BY THE COMMITTEE ON PATENTS

Whereas in the recent recess of Congress the Committee on Patents has suffered the loss of its late chairman, the Honorable WILLIAM I. SIROVICH, whose guidance and counsel has contributed so greatly to the success of its legislative program: Now, therefore be it

Resolved, First, that the Committee on Patents of the Seventy-sixth Congress record its appreciation for the splendid services rendered it by its late chairman, the Representative of the Fourteenth Congressional District of New York in the Seventy-sixth Congress of the United States;

Second, that the Committee on Patents is deeply sensible of the fact that in the death of the Honorable WILLIAM I. SIROVICH, its late chairman, the Nation has suffered the loss of one of its most loyal and self-sacrificing, high-minded, and humanitarian citizens, an uncompromising champion of democracy and freedom; the House of Representatives of the United States has been bereft of an enterprising, clear-thinking, cultivated, and industrious Member, passionately devoted to the welfare of his fellow man; and this committee has been deprived of a spirited supporter and tireless sponsor of legislation designed to protect the rights of the author and the composer, and to foster the development of the arts and sciences in America, as well as the best interests of all the various subjects falling to the jurisdiction of this committee;

Third, that the Committee on Patents will miss the generous support and sensible counsel of the Honorable WILLIAM I. SIROVICH in its deliberations;

Fourth, that the chairman of the Committee on Patents is hereby authorized to request that a copy of this resolution be made a part of the CONGRESSIONAL RECORD; and

Fifth, that the clerk of the Committee on Patents is hereby directed to make this resolution a part of the committee records and to transmit a copy of it to the family of the deceased.

Adopted by the Committee on Patents January 18, 1940.

EXTENSION OF REMARKS

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a speech of I. W. Duggan, director of the southern division of the A. A. A., delivered before the American Farm Economic Association in Philadelphia, Pa.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DONDERO asked and was given permission to extend his own remarks in the RECORD.

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD about the activities of the men arrested recently in New York in a plot against the United States, and to include therein an editorial from the Washington Observer.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a brief article from the Cedar Rapids Gazette.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an article by the Architect of the Capitol, Mr. David Lynn, which was prepared at my request.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a brief editorial on the reciprocal-trade agreements appearing in the Omaha World-Herald, an independent newspaper.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

VETO MESSAGE OF THE PRESIDENT (H. DOC. NO. 571)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 3087 (76th Cong., 1st sess.), an act for the relief of the Gdynia America Line, Inc., of New York City, N. Y.

This bill authorizes and directs the payment by the Secretary of the Treasury to the Gdynia America Line, Inc., of the sum of \$2,520, in full payment for duplicate revenue stamps purchased and attached to the manifests of the motorship *Batory*, belonging to the corporation, the original revenue stamps purchased for this purpose having been lost or destroyed in some unknown manner. The bill also directs the Secretary of the Treasury to require the corporation to give a surety bond to the United States in the amount of \$2,520 to indemnify the Government in the event the original revenue stamps are recovered, the bond to run for such period of time as the Secretary shall prescribe.

The act of May 12, 1900, relating to the redemption of stamps, as amended by section 1013 (a) of the Revenue Act of 1924, and now embodied in section 3304 of the Internal Revenue Code, provides in part as follows:

That the Commissioner of Internal Revenue, subject to regulations prescribed by the Secretary of the Treasury, may, upon receipt of satisfactory evidence of the facts, make allowance for or redeem such of the stamps, issued under authority of law, to denote the payment of any internal-revenue tax, as may have been spoiled, destroyed, or rendered useless or unfit for the purpose intended, or for which the owner may have no use, or which through mistake may have been improperly or unnecessarily used * * * but no allowance or redemption shall be made in any case until the stamps so spoiled or rendered useless shall have been returned to the Commissioner of Internal Revenue, or until satisfactory proof has been made showing the reason why the same cannot be returned; or, if so required by the said Commissioner, when the person presenting the same cannot satisfactorily trace the history of said stamps from their issuance to the presentation of his claim as aforesaid.

Since the company could not produce the stamps, nor make satisfactory proof showing that they were destroyed, and hence could not be produced, as required by the provisions of law above quoted, and the regulations promulgated thereunder, a claim filed by the company for redemption of the stamps was rejected.

The requirements of the above-quoted act and the regulations thereunder are for the purpose of protecting the revenue. Unused documentary stamps in circulation, even though temporarily lost or misplaced, may, if found, be used to satisfy a stamp tax liability; therefore, to refund money paid to collectors for temporarily lost or misplaced stamps would open the door to frauds upon the revenue. A knowledge of the denomination and serial number of such stamp would in itself afford no guaranty that they would not be later used by the finder or by some innocent purchaser.

While a surety bond such as the Secretary of the Treasury is directed by the bill to require of the company might appear to constitute an adequate safeguard if the lost stamps are subsequently found by the company, and used by it, it is obvious that the bond would be ineffective if the stamps were found and used by other persons, as the method of field verification in stamp taxes does not ordinarily include a recordation of the serial numbers appearing on stamps of large denomination.

I have on prior occasions expressed my belief that the field of special legislation should not be opened to relieve special classes of taxpayers from the uniform operation of the revenue laws. The circumstances stated above do not justify the exception made by H. R. 3087 to the uniform operation of the law and regulations relating to the redemption of internal revenue stamps.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 18, 1940.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. KENNEDY of Maryland. Mr. Speaker, I move that the message, together with the bill, be referred to the Committee on Claims and ordered printed.

The motion was agreed to.

INDEPENDENT OFFICES BILL, 1941

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 7922) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1941, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 7922), with Mr. WARREN in the chair.

The Clerk read the title of the bill.

Mr. GIFFORD. Mr. Chairman, where will the Clerk begin to read?

The CHAIRMAN. On page 64, at the paragraph respecting the Smithsonian Institution.

Mr. GIFFORD. Mr. Chairman, I move to strike out the last word.

Mr. WOODRUM of Virginia. Mr. Chairman, I have no objection to the gentleman speaking, but the Clerk had already begun reading the next paragraph, involving the Smithsonian Institution, when the Committee rose.

The CHAIRMAN. That is true. The Clerk had started the reading of it but had not completed it. Therefore, the Chair would hold that any amendments to the Security and Exchange Commission, that is to the second paragraph of that provision on page 64, would be in order. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. GIFFORD. Mr. Chairman, I cannot let this Security and Exchange Commission provision in the bill go by without comment, because the Committee on Appropriations seems to be the only place where any review of their activities is made. If you will read the report from that committee you will see there is not a very lengthy statement presented. The tables show how little new business for expansion has been registered. Unquestionably this Commission has been the greatest deterrent to business that we could possibly have devised. Though legislation may have been badly needed, there ought to be, by this time, some sort of a committee to go over their rules and regulations and their decisions to see whether or not the law ought not to be amended or clarified. I greatly deplore the fact that we cannot write legislation sufficient to deter wrongdoers, and then let the people aggrieved make complaint and the courts decide the issue. Rather have we set up a force of policemen on every corner, and no one is allowed to proceed unless he is first investigated.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. If the gentleman will get me 3 extra minutes.

Mr. RANKIN. I cannot do that, I am afraid.

Mr. GIFFORD. Then I cannot yield. I always prefer to yield. We imagine these people who are involved and who, as they claim, are intimidated and terrorized, dare not make complaint. I have a scrapbook containing much comment on the activities of this Commission during the last several

years. Always in a certain important Sunday newspaper there appears some complaint. There has been a panorama of changes in the chairmanship of that Commission. They do not seem to remain on any permanent footing of determination of their decisions and intentions. They now have arrived at a point where they seem in grave disagreement among themselves. There are close decisions that ought to be given attention by the framers of the law. The point I bring out is that while it is necessary for them under the law to act relating to former crookedness, and there was plenty of such, yet I notice that the gentleman from New York, Mr. FITZPATRICK, in connection with this question before the committee, said, in effect: "Perhaps we ought to let bygones be bygones, and look out for the future."

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I cannot yield now.

Mr. FITZPATRICK. But the gentleman mentioned my name.

Mr. GIFFORD. Will the gentleman let me have 5 minutes?

Mr. FITZPATRICK. I have nothing to do with the time.

Mr. GIFFORD. But the gentleman can get 5 minutes. All he has to do is to ask for it. Operating subsidiary companies today who have exchanged their stock in parent companies now being punished are writing me letters, and they are very much worried about it. But these parent companies must be put through the wringer, because the law says so. I bring this thought to your mind. Has it come to the point when you go into business and hire money at the bank, and when your notes come due, you must not pay the bank interest for renewal because you owe other creditors money? Are you stealing from your creditors if you pay the bank so as to keep your credit good with them and keep on doing business, even though your creditors are willing? Shall policemen come in and say that you are stealing from these creditors if you pay this discount for renewal at the bank? You say that that is a farfetched illustration. It is not farfetched at all. If policemen can go into these large corporations, they later may nose into your own business affairs and say that you should not do this and that, and, therefore, you must go into bankruptcy. I have enough material of complaints, but I do not want to criticize the present set-up of the Security and Exchange Commission. I think probably they are doing their duty in carrying out the law. My thought is, do not set up any more policemen. Make all the law necessary, and, if people cannot live up to the law, let the complaint come from the people aggrieved, and then let the Department of Justice and the courts act.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. FITZPATRICK. Mr. Chairman, I rise in opposition to the pro forma amendment. I did not use the words "let bygones be bygones," but I did refer to transactions that took place in Wall Street that should be stopped. There is not any question about that. I asked him if there was not more money invested in speculation than in real investment. That was my question to the Chairman of the Commission. I think the act is a good act, and it is about time to stop gambling in Wall Street. I think if any illegal action on the part of people in Wall Street can be found, whether committed yesterday or a year ago, they should be prosecuted.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. FITZPATRICK. I yield.

Mr. WOODRUM of Virginia. I would like to emphasize, so that it may not be overlooked, the fact that even our distinguished friend from Massachusetts [Mr. GIFFORD], at the conclusion of his address, said that the Securities and Exchange Commission, as presently constituted, was doing a good job. I will submit to the gentleman that when you can get commendation for one of the administration's agencies from our good friend from Massachusetts, that is the very highest order of commendation. Our friend gave them a clean bill of health.

Mr. SCHAFFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. FITZPATRICK. I yield.

Mr. SCHAFFER of Wisconsin. The gentleman complains about the greatest gambling house in the world, Wall Street. Are the local and State authorities incapable of putting that gambling house out of business, the way other communities put their gambling joints out of business?

Mr. FITZPATRICK. The State in many instances has stepped in and stopped illegal operations, and is doing everything in its power to prevent any kind of fraud.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. FITZPATRICK. I yield.

Mr. COCHRAN. Is it not a fact that if we had had the Securities and Exchange Commission, such as we have now, back in 1915, we never would have had what did happen in 1929?

Mr. FITZPATRICK. Positively, because stocks in Wall Street that had never paid a dividend went from \$60 to \$850 a share before the crash came in 1929. If we had had that Commission at that time, such a thing could not have happened. [Applause.]

[Here the gavel fell.]

Mr. RANKIN. Mr. Chairman, I move to strike out the last two words in order to reply to the distinguished gentleman from Massachusetts [Mr. GIFFORD], who complains that the Securities and Exchange Commission is not able to remedy the wrongs that have been built up for the last 30 years under the provisions of the law that permitted holding companies.

If the gentleman from Massachusetts and the Members on his side of the aisle had supported us when we passed the Securities and Exchange Act we would have put a stop to these ruthless and useless holding companies that are today sucking the economic lifeblood from the people of the United States and corrupting almost every State in the Union.

When we were fighting to pass that bill they had Hopson hid out here, protecting him, while he was lobbying and spending money to defeat the so-called "death sentence," and today that great utilities empire is found to be bankrupt, and Hopson has been taking a rake-off of \$3,000,000 a year, which the people were paying in overcharges for electricity.

The gentleman from Massachusetts [Mr. GIFFORD] complains at what we are doing when we are wringing the water out of these holding companies, to the benefit of the people he represents. The people in Massachusetts last year were overcharged \$50,000,000 for electric light and power, according to the Ontario rates. All taxes, State, municipal, and Federal, including all cash contributions and free services rendered by the power companies in Massachusetts, amounted to only about \$16,000,000, leaving a clear overcharge of \$34,000,000 wrung from the helpless power consumers of the State of Massachusetts in 1 year. Those are the people the Securities and Exchange Commission is supposed to protect.

Throughout the entire New England States they were overcharged last year \$93,000,000. All the taxes paid by all the private power companies in New England, including cash contributions and free services, amounted to only \$26,000,000, leaving \$67,000,000 wrung by these ruthless utilities, including these bloodsucking holding companies, from the overburdened power consumers throughout the New England States. There was an average of more than \$10,000,000 a year wrung from those people of each one of the New England States. The gentleman from Massachusetts, instead of criticizing it, had better be urging the Securities and Exchange Commission to enforce the law and put a stop to that kind of racketeering. [Applause.]

[Here the gavel fell.]

Mr. WHITE of Ohio. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN. The gentleman from Ohio [Mr. WHITE] is recognized for 5 minutes.

Mr. WHITE of Ohio. Mr. Chairman, I listened to the gentleman from Massachusetts very carefully and, as I understood his comment, he did not in any way, shape, or form take exception to the kind of policing of the operations and the transactions of security exchanges that have been referred to by the gentleman from Mississippi. If I understood his remarks properly, and I think I did, I believe the thing he was complaining about was that here is another type of regulation set up on the basis of rules that can be changed from one minute to the next; in other words, that legitimate business enterprise cannot go into the field of finance and know whether the rules they start out with are going to be rules in existence as the financing progresses. This condition has stifled business activity and increased unemployment. With that idea in mind he was advocating that there should be regulation, that wrongdoers should be punished, that there should be a limitation upon their activities, but that these limitations should be prescribed in terms of law, and therefore not subject to change in the middle of the game or the transaction. He is advocating a restriction, and regulation, and a police power in this field of activity on the basis of rules made by law and not regulations issued at the whim of men in some bureau—a government of laws rather than a government of men.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Ohio. I yield to the gentleman from California.

Mr. HINSHAW. Does the gentleman realize that the rules of the Securities and Exchange Commission, under the three acts that have been passed, have not yet been published? For 5 years they have not been published.

Mr. WHITE of Ohio. Yes; I believe that is true. Not only that, but the net result of the last 10 or 12 decisions made by them seems to be the spread of a great deal of confusion in the business world.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Ohio. I yield.

Mr. GIFFORD. I think the gentleman has correctly stated my purpose. I criticized not the basic principle underlying the law but the nature of its enforcement and the kind of rules the enforcing body makes, because they create so much doubt and trouble. I pleaded that we might have laws which could be enforced, but not a police force to which you must always go or which can step in at any minute and dictate your business and bring about that feeling of terrorism that perhaps has been brought about. I tried to bring out the claims of a great deterrent to business that its administration has brought about.

Mr. WHITE of Ohio. May I ask the gentleman from Massachusetts if I properly interpreted his remarks?

Mr. GIFFORD. Indeed the gentleman did. The gentleman from Mississippi answered in no way the complaint that I made. I defend nothing of his description of misdeeds that took place in these holding companies, but I do worry about the operating companies at this moment because of the bankruptcy order. Can there not be some relief? Must our investors in local companies suffer by such bankruptcy? Can we do nothing to save their investment? I have taken the matter up with the Commission, and they tried to reassure me that the operating companies in the end will be put on a sounder basis. Let us hope.

Mr. WHITE of Ohio. As I understand the gentleman's theory, it is that specific rules should be prescribed in terms of law and not left to the whims and changing minds of individuals from day to day.

Mr. GIFFORD. Let the parties aggrieved make the complaint before the Department of Justice rather than have a constant police force which can meddle at any time. We have had too much of it and are now witnessing the evils that flow from it, about which I have talked so many times to the House.

Mr. WHITE of Ohio. And under that method of operation we advocate just as strongly as anyone else that the wrongdoers be thwarted and punished.

Mr. GIFFORD. Yes.

[Here the gavel fell.]

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin: On page 63, lines 19 and 20, strike out the words "rubber gloves."

Mr. WOODRUM of Virginia. Mr. Chairman, I make a point of order against the amendment and call the attention of the Chair to the fact that on yesterday when the House adjourned the Clerk had entirely finished reading the item covering the Securities and Exchange Commission and had read the first two lines of the Smithsonian Institution paragraph.

The CHAIRMAN (Mr. WARREN). The point of order is sustained, but on this ground: The Clerk had completed the reading of all of page 63, that part of it dealing with the Securities and Exchange Commission being a separate paragraph. The Clerk had also completed the reading of lines 1 and 2, on page 64, dealing with printing and binding. The only line that is now subject to amendment would be line 3, which gives the total appropriation for the Securities and Exchange Commission. As the gentleman has offered an amendment on page 63, it is clearly not in order, and the point of order is sustained.

Mr. WOODRUM of Virginia. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WOODRUM of Virginia. After the Clerk had read lines 3 and 4 and was starting on line 5, how can it be in order to offer an amendment for any part of the Securities and Exchange paragraph?

The CHAIRMAN. The Chair would hold that the Clerk would have been required to finish the reading of the entire paragraph on the Smithsonian Institution in order to preclude an amendment being offered to the preceding paragraph of the bill. As the Chair stated, the point of order is sustained.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer another amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin: On page 64, at the end of line 3, insert "Provided, That no part of this appropriation shall be expended to purchase rubber gloves."

Mr. SCHAFER of Wisconsin. Mr. Chairman, after the speech of the gentleman from Mississippi [Mr. RANKIN] in defense of this commission, I would think he would rise in his place and ask that this amendment be adopted so that this commission will not have rubber gloves, which I understand might be used, to gently handle the multimillionaire New Deal bucket-shop operators and stock speculators who are now headlines in the big New Deal show.

May I respectfully suggest to the gentleman from Mississippi that Wall Street is in New York. The State of New York and the city of New York could and should have regulated Wall Street. It is indefensible for leading Democrats to denounce the former Republican national administration in Washington, D. C., as responsible for the robberies and other reprehensible conduct by the crooks, sharks, and wolves of Wall Street. For former officials of the State of New York, such as President Roosevelt, the former Governor of New York, who had jurisdiction with reference to regulating Wall Street under State laws, to denounce the Federal Government in Washington for the sins of Wall Street is as logical as the New York police department denouncing the police department of the District of Columbia because of a gangster murder committed on the sidewalks of New York.

I can well realize why all the stock-market debacle and swindle was permitted by Mr. Roosevelt, who was Governor of New York at the time. Barney Baruch, the multimillionaire ace New Dealer, was one of the biggest Wall Street bucket-shop operators of the country. Go into the debates had on the floor of the Congress and read the motion-

picture industry speeches of the late Dr. Sirovich and the gentleman from Illinois [Mr. SABATH]; then get Moody's Industrials and observe the hook-up in connection with the R. K. O. swindle. You will find that Joseph Kennedy, the multimillionaire New Dealer, was the chief racketeer in that manipulation. The gentleman from Mississippi denounced Mr. Hopson. Are you going to try to throw Hopson in the Republican political bed? When congressional investigation committee subpoena servers were looking for Mr. Hopson and went to Mr. Hopson's Washington headquarters, who did they find there? Another multimillionaire New Deal official, Mr. Chip Roberts, who was in Mr. Hopson's lobby headquarters in the Nation's Capital. Who else? The President's own secretary, Mr. McIntyre, was also found enjoying the hospitality of Mr. Hopson's Washington headquarters. And yet by innuendo and indirection at least the New Deal leaders are continually blaming the Republican Party for all of Mr. Hopson's sins of omission and commission. Remember that birds of a feather flock together even in Mr. Hopson's Washington headquarters.

With reference to the Power Trust, I may say to my friend the gentleman from Mississippi [Mr. RANKIN] that your present new New Deal Attorney General, Mr. Robert Jackson, was a big Power Trust attorney before he jumped into the New Deal tent and began to promise to perform miracles in connection with trusts and financial racketeers while denouncing Wall Street speculators, Power Trust, and other alleged "economic royalists" and special interests.

Mr. Chairman, in all sincerity, can any Member of this Congress or this committee rise in his place, and tell us why, in view of our stupendous national debt, our almost bankrupt taxpayers' Treasury should be called upon for funds to furnish rubber gloves for the Securities and Exchange Commission? I now yield for an answer as to how many gloves are going to be purchased and what are they going to be used for. I yield and pause for a reply.

Mr. Chairman, since no one seems to know why we should be called upon to appropriate funds for rubber gloves for the Securities and Exchange Commission I sincerely hope and expect that my amendment will be unanimously agreed to. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. SCHAFER].

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—yeas 36, nays 69.

So the amendment was rejected.

The Clerk read as follows:

SMITHSONIAN INSTITUTION

For expenses of the general administrative office; for the system of international exchanges between the United States and foreign countries; for continuing ethnological researches among the American Indians and the natives of Hawaii and the excavation and preservation of archeologic remains; for maintenance of the Astrophysical Observatory, including assistants, and making necessary observations in high altitudes; for cases, furniture, fixtures, and appliances required for the exhibition and safekeeping of collections; and for administration of the National Collection of Fine Arts; including personal services, purchase of books of reference and periodicals, traveling expenses, including not exceeding \$1,000 for expenses of attendance at meetings concerned with the work of the institution when specifically authorized by the Secretary of the Smithsonian Institution; uniforms for guards, supplies and equipment, preparation of manuscripts, drawings, and illustrations, supplying of heating, lighting, electrical, telegraphic, and telephone service, repairs and alterations of buildings, shops, sheds, and approaches, and other necessary expenses, \$386,260.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to take only a minute to call the attention of the Committee to the hearings on page 421, where you will find what the rubber gloves referred to by the gentleman from Wisconsin [Mr. SCHAFER] are for. I asked a question about the rubber gloves in the hearing and was advised that they were for the use of employees who handle the multilithographic and photographic work in their duplicating unit, where certain chemicals in the inks are very poisonous. This has resulted in many of the employees'

having received skin infections from handling the inks. As a result, there has been sickness and a loss of time. Claims for employees' compensation could far exceed the \$12 which is involved in the purchase of the rubber gloves. Consequently, the committee did not delete the \$12 item.

The Clerk read as follows:

For the purpose of carrying out the provisions of the act entitled "The Tennessee Valley Authority Act of 1933", approved May 18, 1933, as amended by the act approved August 31, 1935, and by the act approved July 26, 1939 (16 U. S. C., ch. 12a), including the continued construction of Chickamauga Dam; Hiwassee Dam; Kentucky Dam at Gilbertsville, Ky.; Watts Bar Dam; and for construction of a dam near Lenoir City, Tenn., and the acquisition of necessary land, the clearing of such land, relocation of highways, and the construction or purchase of transmission lines and other facilities, and all other necessary works authorized by such acts, and for printing and binding, lawbooks, books of reference, newspapers, periodicals, purchase, maintenance, and operation of passenger-carrying vehicles, rents in the District of Columbia and elsewhere, and all necessary salaries and expenses connected with the organization, operation, and investigations of the Tennessee Valley Authority, and for examination of estimates of appropriations and activities in the field, \$40,000,000: *Provided*, That this appropriation and any unexpended balance on June 30, 1940, in the "Tennessee Valley Authority fund, 1940", and the receipts of the Tennessee Valley Authority from all sources during the fiscal year 1941 (subject to the provisions of section 26 of the Tennessee Valley Authority Act of 1933, as amended), shall be covered into and accounted for as one fund to be known as the "Tennessee Valley Authority fund, 1941", to remain available until June 30, 1941, and to be available for the payment of obligations chargeable against the "Tennessee Valley Authority fund, 1940."

Mr. DIRKSEN. Mr. Chairman, I have two amendments at the desk. I ask unanimous consent that they may be read and considered as one, since they are closely related.

Mr. WOODRUM of Virginia. Reserving the right to object, Mr. Chairman, may we first have the amendments read for the information of the Committee?

The CHAIRMAN. The Clerk will report both amendments.

The Clerk read as follows:

Amendments offered by Mr. DIRKSEN: On page 68, lines 21 and 22, strike out "and for construction of a dam near Lenoir City, Tenn." and on page 69, line 8, after the word "field", strike out "\$40,000,000" and insert "\$39,000,000."

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois that the two amendments be considered together?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, the purpose of the two amendments on the desk is, first, to strike out the authority for proceeding on a new dam at or near Lenoir City, Tenn., which is commonly known as the proposed Coulter Shoals Dam, and, second, to reduce the over-all appropriation from \$40,000,000 to \$39,000,000, thus taking out the \$1,000,000 which was presented to the committee as the estimated cost of construction for the fiscal year 1941.

Let me say to the Committee that in order to get a clear-cut and comprehensive picture of this whole Tennessee Valley project you must envision the Mississippi River running down through the center of the country from north to south, and then envision the Ohio River coming in from the east, pouring in somewhere near Paducah, Ky., and Cairo, Ill. Then get this picture of the Tennessee Valley and the Tennessee River. It starts at a point about 20 miles below Paducah and comes down in a southerly direction, makes the form of a great horseshoe, and then tails off into a lot of rivulets and creeks and streams and small rivers some 650 miles beyond the mouth.

On that river we now have 10 completed dams. The over-all cost of them as submitted to the committee is about \$535,000,000. We have expended and appropriated to date for the Tennessee Valley Authority over \$270,000,000.

The language in the bill which I propose to strike out and the \$1,000,000 by which I propose to reduce the over-all appro-

priation for the Tennessee Valley Authority would eliminate beginning construction on the new Coulter Shoals Dam, which is way up in the direction of Knoxville. My proposal to strike it from the bill and to strike the \$1,000,000 from the bill is based on the ground, first, that I feel it is not necessary, and, second, I feel that some investigation is necessary before we go too much further in connection with the authority now exercised by the Tennessee Valley Authority.

There will be only two generating units at Coulter Shoals Dam and they will generate only 43,000 kilowatts. This is the smallest of all the units on the Tennessee Valley project.

In the second place, it was represented to us in the committee that this project will not be completed until 1944. The purpose of the \$1,000,000 is to build the access road and the construction camp and do those other preliminary things that are a necessary prelude to the construction of the dam. We have a little over \$600,000 invested in exploratory work for the proposed Coulter Shoals Dam. If you add this \$1,000,000 it will be too late to withdraw from the project, and then we will have obligated the Federal Government for \$28,500,000. If I had felt this to be absolutely necessary I would have made no effort to strike this item from the bill. I recognize that the Tennessee Valley Authority and the Tennessee project must go on, but it must not go on indiscriminately.

Let me make it clear and emphatic that the elimination of this dam and the amount requested for it for the fiscal year 1941 is in no way an effort to emasculate the T. V. A. program; nor is it an effort to stop or to hamper existing construction. Work has not yet started on the so-called Coulter Shoals Dam. If proof is needed to document that statement, I need only quote the language of the T. V. A. as submitted to the Appropriations Committee in its justification for the fiscal year 1941. On page 25 of that report the T. V. A. states very specifically that it is "requesting funds for Coulter Shoals Dam and Reservoir to provide for beginning construction." That report also states that T. V. A. expects the preliminary investigations, surveys, and designs to be sufficiently complete by the end of 1940 to permit construction. Since the preliminary reports are not yet complete, and since no construction has been undertaken, this would be the proper time to eliminate the new dam and the funds requested for 1941 until Congress can better evaluate this whole program. There is no wisdom in baling money into this project until we can get a better look at it and probably have a more authoritative investigation than has been available to the committee within the space of limited time.

Now, let me tell you the rest of the story. Here comes the Tennessee River, starting at Paducah, going down from the Gilbertsville Dam, 184 miles to the next dam, Chickamauga or Guntersville, and then on to Wheeler Dam, to Wilson Dam, to Hales Bar Dam, to Watts Bar Dam, the Hiwassee Dam on one of the tributaries, the Norris Dam on the Clinch River, and then this other dam, known as Coulter Shoals, for which they are asking \$1,000,000 on which to start construction.

However, this is not the whole story, and if you will look at the specifications of the Tennessee Valley you will see that they asked the committee for funds last year under the general subject matter "of other river-development projects" for only \$223,000. This year they ask nothing for that item, but look at the total. The estimate to complete other river-development projects will be \$40,500,000, and if we go ahead with Coulter Shoals, it will be the signal to go ahead with related activities and other developments on the Little Tennessee, the Holston River, the Powell River, the French Broad River, and all those little tributary streams, way up in the southeastern section, and then you will have obligated the Federal Government for another \$40,000,000.

Now, some might say to me that that is not the case. If you want some interesting reading you should get House Document No. 91, the Chattanooga Flood Control Program, a message from the President of the United States, and then read the conclusions on page 2. There are lots of conclusions, the whole flood control, enlarged storage basin, enhanced improvements on the upper reaches of these tributary streams; and they say in this report that it must be suitably distributed

on the main tributaries including the Holston, the French Broad, and the Little Tennessee. Then it contains this language:

Since the Tennessee Valley Authority is already equipped for, and is charged with, unified operations of these reservoirs, it is the most logical agency for the operation of the entire flood-control development of the valley.

And we are getting ready now to stop, not at \$535,000,000, but probably to obligate the Federal Treasury for perhaps as much as \$100,000,000 more, because they are going to find new projects, new improvements of all kinds in these upper reaches of the Tennessee Valley.

It occurs to me it is time for the Congress to take a look at this thing. To show you how inadequate our investigations really are, when they come before a subcommittee, they bring their comptroller, their auditor, they bring all the directors of T. V. A.; they bring the General Counsel; they bring the consulting engineer and the chief engineer; they bring expert accountants and bookkeepers; and we, as members of the committee, will sit on the other side of the table and by dint of cross-examination seek to elicit the whole story. You cannot begin to get the story of T. V. A. from those who come to testify, and more often than not you will find that the replies have been slightly evasive, and you will sometimes find that information that ought to go into the RECORD will not be there, and they continue and proceed under the broad authority of the organic act whereby it is going to cost the taxpayers of this country plenty of money.

Now, they say to me, you would not demolish this construction program, and you would not disrupt the organization, would you? If that argument holds good, we might just as well keep 14,000 men on the force on account of the T. V. A., finish these other river developments in the northeast and then go down on some of the reaches of the Mississippi and Ohio Rivers. We might add another \$500,000,000 to what has already been expended.

I am not alarmed about disrupting the construction organization. I would much rather kiss goodbye to the \$600,000 already invested in Coulter Shoals and give the Congress and the country a chance to investigate and explore to the full, rather than obligate the taxpayers and the Federal Treasury to untold sums before we get through.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. MAY. Is the gentleman aware of the fact that Dr. Morgan testified before the House Military Affairs Committee that they had selected already more than 100 sites for dams in the Tennessee Valley and that the program would probably cover 100 years?

Mr. DIRKSEN. Definitely; and when they speak of other river developments, with an over-all cost of \$40,500,000 in addition to \$28,000,000 for Coulter Shoals, it will be a total of almost \$69,000,000. We are going to plunge this country into further obligations and regret it afterward, unless adequate investigation has been made.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. WHITE of Idaho. Is it not a fact that every dam and every electrical project in the Tennessee Valley is a self-liquidating project and the money will get back to the Treasury of the United States?

Mr. DIRKSEN. Yes; if it will only last a thousand years, it may be liquidated.

Mr. WHITE of Idaho. Is it the gentleman's considered opinion that it would take 1,000 years to pay that money back?

Mr. DIRKSEN. I suggest that the gentleman read the consolidated balance sheet and find out what the revenues and expenditures are and then seek to amortize this cost and see the number of years it will take. If they can amortize this in 100 years, I will eat a portion of the dam.

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Mr. WHITE of Idaho. Will not it be paying back money, when the money being expended in Illinois for relief will never be paid back?

Mr. DIRKSEN. If the gentleman wants to put it on a 100-year basis of a 200-year basis, all right. We will not last that long. Let the Members of this House here who are interested in flood control realize that under the economy urge now in the country there will not be adequate funds for flood control in other sections of the country.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for 2 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DIRKSEN. Here is a proposal to dump a great quantity of money for storage and flood-control purposes in one single section of the country, and meanwhile those who have been interested in flood control in other sections of the country are wondering where, under the President's budgetary message they may be able to find some funds for very useful and necessary projects in their sections of the country. I suggest that we eliminate Coulter Shoals from this bill. I suggest that we wait a little while in view of the fact that the engineers say it will not be ready until 1944 anyway and I suggest that we diminish the amount by \$1,000,000, which is the million dollars for which construction shall be undertaken on the eleventh dam known as the Coulter Shoals Dam. I believe it is in the interest of economy. I believe it is in the interest of common sense, and I believe it is in the interest of fair play to the people and to the Federal Treasury and to the taxpayers of the country.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. JENKINS of Ohio. While the gentleman is asking for a reduction of \$1,000,000, we are still paying the Tennessee Valley \$39,000,000.

Mr. DIRKSEN. Definitely. It will get \$39,000,000 under this bill, but let us stop this one item for the present and take another look at it.

Mr. JENNINGS. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JENNINGS. Mr. Chairman, as the successor of Congressman Taylor from the Second District of Tennessee, I desire to address myself to this effort to stop the well-nigh accomplished program of the Tennessee Valley Authority at this stage. It is now an accomplished fact. The foundations have been laid, the superstructure has been erected, the walls of the house are up, and it is now proposed that we refrain from putting a roof on the house.

For more than 30 years the Engineering Corps of the United States Army has recommended making the Tennessee River navigable from Knoxville to its mouth at the Ohio. This dam at Coulter Shoals takes the place of 7 low dams heretofore recommended by the Army engineers. Knoxville is a city of 130,000 people. In my congressional district there are 11 counties, every one of which except 1 has within its borders great industrial enterprises. Within 16 miles of the city of Knoxville at Alcoa is one of the largest aluminum plants in the world. There is shipped to that plant from St. Louis, where the ore is reduced, more than 800,000 tons of aluminum pig per year, and there is shipped out and is being shipped to the airplane factories in California aluminum from Alcoa that is going into the fighting planes being built for the armed forces of this Nation. Tennessee and the Tennessee Valley, and especially the great industrial region around Knoxville with its coal mines and varied interests, have been waiting for more than a hundred years for a navigable stream. This dam will give it to them. This dam will not only make the Tennessee River navigable

from Knoxville to its mouth at the Ohio, but it will make available additional electrical energy for which there is a market today, and let it not be forgotten, in that connection, that should the United States become involved in war, the Government has a right to recapture the energy produced by the Tennessee Valley Authority and manufacture nitrates for use in explosives. This is a necessary dam, a dam not only necessary for navigation purposes, but necessary in order to complete the power program of this great governmental institution. You have it. It is not a question of whether or not we are to have the Tennessee Valley Authority. We already have it. It is ours. It belongs to the people; it has been financed with Government funds. Let us complete it. Let us make it a paying proposition. In addition to that, all this talk about further projects on the upper reaches of the Holstein is a mere smoke screen. I know that there is no occasion for anything like that, and if it were proposed here, I would oppose it. I am talking about something that is feasible and practical and necessary. Talk about economy! We have already spent \$600,000 in making preliminary surveys for this dam, and with the organized personnel and equipment now in the hands of the Tennessee Valley Authority, it can go forward with the construction of this dam at a saving of \$1,000,000 to the people of this country. Therefore I say to you that in justice to that great region, in an effort to complete this great project, as a measure not only of flood control but looking to the development of that river for navigation, this amendment should be defeated.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield.

Mr. WOODRUM of Virginia. In connection with the gentleman's statement as to the necessity for this Coulter Shoals Dam, it is true, is it not, that this Coulter Shoals Dam is one of the original links in the system of dams contemplated when the Tennessee project was laid out?

Mr. JENNINGS. That is true. It would be like severing a link in a chain to leave it out and fail to construct it.

Mr. WOODRUM of Virginia. And without the building of this dam not only the flood-control possibilities of the Tennessee Valley would be seriously hampered, but it would absolutely destroy navigation possibilities?

Mr. JENNINGS. Absolutely; to the eternal detriment of one of the greatest sections of this country.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. Yes; I yield.

Mr. DIRKSEN. With relation to the other river development activities, I read from page 27—

Mr. JENNINGS. Well, let us not look a hundred years in the future. Let us deal with the facts now before us. I am talking about Coulter Shoals Dam and not about a dam up at the headwaters of the river.

Mr. DIRKSEN. But if the gentleman will yield, on page 27 of the justification submitted to the committee for 1941, "Other river development projects, estimated total cost, \$41,500,000," the T. V. A.'s own language.

Mr. JENNINGS. Let us take one thing at a time.

Mr. FITZPATRICK. Will the gentleman yield for a question?

Mr. JENNINGS. I yield.

Mr. FITZPATRICK. Assuming we postpone this for a year or two, would it not be more expensive than to go on and complete it now?

Mr. JENNINGS. It would cost in excess of \$1,000,000 more if its construction should be delayed.

Mr. FITZPATRICK. Because all of the equipment is close by at the present time and it would all have to be moved, and it would cost twice as much.

Mr. JENNINGS. That is true. The machinery is there. The personnel is there. They can go forward at a saving of \$1,000,000. Not only that, let me say to you Representatives from the farm belt, the finger of ridicule has been

pointed at the fertilizer enterprise down there. I personally know, being not only a lawyer but a farmer, that they are doing a great work in the development of fertilizers, a work that will be of inestimable value to the farmers all over the country. So I urgently urge you members of this committee to vote down this attempt to emasculate and sabotage this great enterprise at this late date. [Applause.]

[Here the gavel fell.]

Mr. FADDIS. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Illinois [Mr. DIRKSEN]. I ask unanimous consent to proceed for 10 minutes instead of 5.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, I wonder if we can have some agreement on the Tennessee Valley item. I ask unanimous consent that all debate on this paragraph and all amendments thereto conclude in 40 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. MILLER. Reserving the right to object, Mr. Chairman, does that allow each Member standing 5 minutes?

Mr. WOODRUM of Virginia. Mr. Chairman, in view of the number of requests, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 1 hour.

Mr. MILLER. Reserving the right to object, Mr. Chairman, will that give each person standing 5 minutes?

The CHAIRMAN. The Chair is unable to state that.

Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN. That is exclusive of the 10 minutes that has already been given to the gentleman from Pennsylvania.

Mr. WOODRUM of Virginia. Mr. Chairman, I would like to have 5 minutes reserved, if the Chair would permit.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. FADDIS] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FADDIS to the amendment offered by Mr. DIRKSEN: Strike out "\$39,000,000" and substitute in lieu thereof "\$20,000,000."

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 10 minutes.

Mr. FADDIS. Mr. Chairman, this amendment proposes to cut the appropriation for the Tennessee Valley Authority in this appropriation bill to \$20,000,000. Now, if we are going to have economy—and I believe we are all agreed upon that as a principle—let us have it uniformly throughout the entire Nation. Here we have an example of this pet child of the administration being granted \$1,000,000 increase in its appropriation over the appropriation of 1 year ago, when practically every other department in connection with this bill has been cut. We have had a cut of almost \$15,000,000 from the public buildings outside the District of Columbia. That is a cut which applies to the entire United States, a cut in which we are all interested, a cut in which every community represented on this floor is interested. We have also had a cut in Federal aid to highways—a cut of \$25,000,000. That is a cut which is taken from the entire United States.

We have also had a cut in secondary highways of \$10,000,000. This is a cut which applies to every rural community in the United States—to the little feeder roads to the highways, to the farm-to-market roads, to the roads and facilities that the common people throughout the entire United States use.

We have also had a cut of \$15,000,000 applied to the elimination of grade crossings. All over this Nation we have dreamed of and worked for the day when we can make the families of every Member of this House, the families of every father and mother all over the United States, safe from the

terrible hazard of being run over by a train at a grade crossing; yet that is cut, and cut in favor of this favorite child of the administration, the T. V. A.

We have had hospitalization for veterans cut, and I call this to the attention of the gentleman from Mississippi [Mr. RANKIN]. We have had almost \$2,000,000 cut from hospitalization for veterans in the United States, but the T. V. A. appropriation has not been cut at all.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I am sorry I cannot yield right now. A little later I will if I have time.

Another thing I am sure this Committee must take into consideration in relation to appropriations for the Tennessee Valley Authority is the fact that in September in a press release their own press agent said that they had a net income of \$1,237,000 a month. This makes a total of over \$15,000,000 a year by their own report which they, by the way, very reluctantly rendered to the Congress because they are required to by the terms of the original act. They admit that they still have available \$11,500,000 from the recent sale of bonds; and this money alone will much more than make up the cut which I propose they shall take under my amendment to the amendment offered by the gentleman from Illinois.

If we are going to economize, again I say to the membership of this Committee, in all fairness let us have it apply to all sections of the United States alike. Oh, of course, it is quite all right for the gentleman from Tennessee to get up here and defend this project in his own vicinity. It is all right for him to say that it is about completed, but those of us who have wrestled with this program for the number of years we have in this House know there is no satisfying these fanciful, fantastic men who are running the T. V. A. The operations of this outfit are so fantastic, so fanciful, so outrageous, so unreasonable that it is almost impossible for anyone to discuss it with any degree of common sense. If, as the gentleman from Tennessee says, we are cutting out a link, then I submit it is a link from one end of the chain or the other, not out of the middle.

Then the nonsensical statement was made that it would take \$1,000,000 to get this machinery started again should we stop and then wish to start at some later date. I am sure it is the opinion of a large part of the Committee and of many of the Members of the House that we never start any more developments under this program. [Applause.] I am sure the members of this Committee would be glad to see a program of this kind extend all over the United States so we could all benefit in some way or other; but certainly in the name of common sense we should not let all of the appropriations be poured into this one favored spot in the United States. Let us have a little common sense, a little sense of fairness, a little sense of balance; and while we are cutting appropriations for other departments that affect every section of the country, let us in the name of fairness and common sense carry the pruning down into this one place where it is most badly needed. [Applause.]

[Here the gavel fell.]

Mr. McLEAN. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The Chair would like to make this observation before recognizing the gentleman from New Jersey:

Time has been fixed on this entire section which begins to run now for 1 hour. The Chair is informed that several gentlemen have amendments to offer. Two amendments are pending at the present time. Under the rules of the House, of course, only a stated number of amendments may be pending at one time. Some gentleman, therefore, who desires to offer an amendment later on may find himself precluded from speaking at least on his amendment unless pending amendments are disposed of as we go along during the course of the hour. The Chair merely makes this observation to protect all gentlemen.

Does the gentleman from New Jersey have any objection to the Committee's voting on the present amendment now? If not, the Chair will put the question.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FADDIS].

The question was taken; and, the Chair being in doubt, the Committee divided, and there were—ayes 56, noes 55.

Mr. WOODRUM of Virginia. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. WOODRUM of Virginia and Mr. FADDIS.

The Committee again divided; and the tellers reported that there were—ayes 104, noes 110.

So the amendment was rejected.

Mr. McLEAN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. McLEAN. Mr. Chairman—

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. McLEAN. I yield.

Mr. DIRKSEN. If there is any misunderstanding about the pending amendment, I may say that it strikes out \$1,000,000 for beginning the construction of Coulter Dam.

The report of the Tennessee Valley Authority to the committee is that the preliminary work on this dam will not be completed until 1940, which rebuts the testimony of the gentleman from Tennessee that this dam is under way. The preliminary work has not yet been completed, according to the T. V. A. report.

Mr. McLEAN. Mr. Chairman, I am very sorry that the last amendment was defeated because there is room for economy, efficiency, and attention to detail in the Tennessee Valley Authority and the amount of the appropriation should be reduced. In the past I have had much to say about the Tennessee Valley Authority, but when anybody rises to protest or say anything about that agency the voice is one crying in the wilderness, so strongly does the authority seem to be entrenched and supported. It took 2 years for the President to realize there might be some truth in the charges being made here a few years ago; matters were so complicated he had to constitute himself an investigator, one of the few times in all my experience I have known the President of the United States to personally conduct such an investigation, to find out the truth of the family row going on between the men whom he had appointed to office, and that at least one of them could be guilty of contumacy. As I have frequently said, the entire Commission has been contumacious.

Mr. Chairman, the first engineer appointed by the Tennessee Valley Authority, as long ago as 1933, was Mr. Carl A. Bock, and up until the 25th of November of last year Mr. Bock was chief consulting engineer of the Authority. On the 25th of November he resigned his position, because, he said, of his belief that the T. V. A. could take greater steps to "insure economy and efficiency in the great projects which it is designing and building." The statement which Mr. Bock gave out at the time of his resignation quotes portions of a letter he had written to Dr. H. A. Morgan, Chairman of the Authority. It came to my attention in an Associated Press dispatch from Chattanooga, published in the New York Herald Tribune, and is in part, as follows:

Valuable opportunities for improved operating features can be overlooked or large sums needlessly spent unless such projects are subjected to independent searching analysis.

Experienced consultants are invaluable for critical checking and advisory review of designs and proposed constructions.

In my opinion, T. V. A. could advantageously make more intensive use of available consultation to insure economy and efficiency in the great projects which it is designing and building.

I believe I am warranted in leaving now, feeling that I have discharged any possible professional obligation to T. V. A., and that I have demonstrated my desire to cooperate toward its best interests.

As you will note, Mr. Bock intimated that his resignation had been in his mind for some time, but he felt an obligation to the T. V. A. However, the time had come when his obligation to the T. V. A. had been satisfied and he could take the step.

Mr. Bock should know the truth of what he is talking about. He was the chief consulting engineer and we have his statement that economy and efficiency are necessary and something can be done about it by the officials in charge of the T. V. A.

When I said a few years ago that the T. V. A. was going to cost \$250,000,000 I was ridiculed and scoffed at. Today the report of the committee admits that the project has already cost upward of \$310,000,000, and that the project, including navigation, flood control, and power, will finally cost \$535,000,000. That is the total estimated cost. It will cost fabulously more. I extend an invitation to any Member of the House who is at all interested to sit down with me to quietly and conscientiously study this proposition. I will show anyone who cares to give the time how, up to now, this project has cost the United States Government at least \$750,000,000; and with all its correlated activities and things which are being undertaken, I venture to say that we would find that the cost up to the present time is approaching a billion dollars more nearly than the \$535,000,000 which the T. V. A. officials are willing to admit.

[Here the gavel fell.]

Mr. SPARKMAN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the amendment before the House, as I understand it, is the amendment offered by the gentleman from Illinois [Mr. DIRKSEN], to strike from this bill the sum of \$1,000,000. It does not sound like a very harmful amendment or one having very great effect, so far as this bill is concerned, but may I call attention to the fact that if the amendment is agreed to, it means that the construction of Coulter Shoals Dam will not get under way during this year.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I wonder if the gentleman has exactly stated the proposition. If the amendment offered by the gentleman from Illinois [Mr. DIRKSEN] to reduce the total amount by \$1,000,000 is agreed to, it would still not interfere with the Coulter Shoals Dam unless the other amendment is also agreed to. The gentleman from Illinois has two amendments.

Mr. SPARKMAN. It is my understanding that the purpose is to consider the two together. That is what he stated. The purpose is to prevent the starting of the construction of Coulter Shoals Dam. The gentleman from Illinois [Mr. DIRKSEN] in his remarks admitted that the T. V. A. was a great project already under way and that its program was eventually to be completed. In other words, he simply wanted to slow it up for 1 year. The gentleman from Tennessee [Mr. JENNINGS] has discussed very fully the cost to the Government and he has shown you that, as a matter of fact, instead of this being an economy move it would be highly uneconomical, not necessarily because of the loss of work on Coulter Shoals Dam, but due to the fact that the program of developing this project, when it was originally set up, was scheduled in such a way that when one dam was completed another one should commence. In this way the equipment and personnel might be moved from one dam to another. If you slow up the starting of Coulter Shoals Dam for 1 year you are going to lose 1 year's time on certain equipment that has been allotted to that particular project. This will also throw out of employment a great many of the personnel which later will have to be reemployed.

Mr. HOUSTON. Will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from Kansas.

Mr. HOUSTON. Is this not the last important dam in that whole section?

Mr. SPARKMAN. This is the last dam. For years the Army Engineers have recommended that a 9-foot channel be developed all the way up the Tennessee River to Knoxville. In every report the necessity of a dam at Coulter Shoals has been emphasized. This is the last of the dams necessary to complete that channel to Knoxville, and without it the channel cannot be completed.

Mr. COOPER. Will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER. Is it not also true that one of the main purposes to be served by this dam is navigation? We hear much said about power, but the main purpose to be served by this dam is navigation.

Mr. SPARKMAN. That is absolutely true. The primary purpose is navigation, and flood control comes next. As far as this dam is concerned, power is wholly incidental and secondary.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from Michigan.

Mr. DONDERO. Can the gentleman give the Committee the amount of commerce on the Tennessee River?

Mr. SPARKMAN. Offhand I cannot give it. I noticed in the report that during the last year there was 2,000,000 tons of water-borne commerce, if I recall correctly.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from Mississippi.

Mr. RANKIN. Of course, one cannot give the amount of navigation along this stream because navigation is blocked at the present time. This amendment would cut this stream in two there and prevent navigation altogether.

Mr. SPARKMAN. Until the Gilbertsville Dam is completed the mouth of the stream is blocked. When the Gilbertsville Dam is completed, and the present dams under construction are completed we will have a 9-foot channel to Chattanooga and above. This dam will open the river all the way to Knoxville.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from Oregon.

Mr. MOTT. Admitting the accuracy of the gentleman's statement in regard to the importance of the Tennessee Valley project, the gentleman is willing to admit, I suppose, that there are many other power, flood control, and navigation projects in other parts of the United States which are also of importance?

Mr. SPARKMAN. I certainly am.

Mr. MOTT. Does the gentleman appreciate the fact that while the appropriation for the Tennessee Valley project has not been cut at all in this year's appropriation, the Budget estimates for all the other flood-control projects in the United States have been cut an average of approximately 50 percent; in other words, from the \$133,000,000 appropriated last year to \$70,000,000 this year?

Mr. SPARKMAN. I should like to call the attention of the gentleman to the fact that the Budget also cut the Tennessee Valley Authority approximately \$10,000,000 in the estimates submitted.

Mr. MOTT. That is not at all in line with the cuts on other projects.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 90, noes 94.

Mr. DIRKSEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DIRKSEN and Mr. STARNES of Alabama.

The Committee again divided, and the tellers reported that there were—ayes 109, noes 112.

So the amendment was rejected.

Mr. MAY. Mr. Chairman, I offer an amendment.
The Clerk read as follows:

Amendment offered by Mr. MAY: On page 69, line 18, before the period, insert:

"Provided, That no part of the appropriation made by this paragraph shall be available unless and until Congress hereafter by law provides that moneys available for expenditure by the Tennessee Valley Authority shall be withdrawn from the Treasury only pursuant to accountable warrants for advances to the credit of an adequately bonded disbursing officer, as determined by the Comptroller General of the United States, or certificates of settlement issued by the General Accounting Office."

Mr. WOODRUM of Virginia. Mr. Chairman, I make the point of order against the amendment that it is legislation, that it puts additional duties on the Comptroller General, and I refer to the last two lines, "as determined by the Comptroller General of the United States."

The CHAIRMAN. Does the gentleman from Kentucky desire to be heard on the point of order?

Mr. MAY. Yes, Mr. Chairman.

Mr. Chairman, I desire to call attention to section 1582, page 600, volume 7, of Cannon's Precedents, which reads as follows:

An amendment rendering an appropriation (included in a paragraph proposing legislation) inoperative until Congress should have made certain determinations, was held to be in the nature of a limitation.

Under this section the Chairman of the Committee of the Whole House on the state of the Union was called upon to rule on a proviso to a similar provision relating to the disbursement of money from the Treasury to two certain Indian tribes. This proviso was introduced by Senator PAT HARRISON, of Mississippi, and reads as follows:

Provided, however, That the provisions of the preceding paragraph of this act with respect to the Choctaw tribe shall not be operative until Congress shall have determined the rights of the Mississippi Choctaws whose names do not appear upon the final rolls of the Choctaws in Oklahoma.

After commenting generally upon the matter, the Chairman of the Committee of the Whole House on the state of the Union concluded—

The Chair therefore does not think that the amendment changes existing law, nor does it propose new legislation. It is, in the opinion of the Chair, only a condition or limitation on the appropriation, the effect of which and the advisability of which the Committee and not the Chair must determine.

The Chair thinks the amendment in order, and therefore overrules the point of order.

Mr. WOODRUM of Virginia. I did not understand whether the gentleman was reading a statement from the ruling of a former Chairman of the Committee of the Whole on a point of order, to the effect that that particular amendment did not change existing law, or whether the gentleman was referring to his own amendment.

Mr. MAY. I was reading the ruling by the Chairman of the Committee of the Whole House on the state of the Union shown under this section.

Mr. WOODRUM of Virginia. The amendment offered by the gentleman from Kentucky certainly changes existing law, does it not?

Mr. MAY. It certainly does not.

Mr. WOODRUM of Virginia. If it does not, why offer it? What good can it do if it does not change existing law?

Mr. MAY. It places a limitation on the expenditure of these funds, the very thing I have been trying to do for 5 or 6 years. I have been trying to get them under the Comptroller General and have been unable to do so.

Mr. WOODRUM of Virginia. The accounts of the Tennessee Valley Authority are now audited by the General Accounting Office.

Mr. MAY. An audit of the Tennessee Valley Authority, sent in by them without the vouchers, is all the Comptroller General gets. There is a shortage, if the chairman of the Appropriations Committee does not happen to know it, of

\$15,000,000 down there in the Comptroller General's office now, composed of illegal items.

Mr. WOODRUM of Virginia. But the gentleman seeks by this amendment to extend the authority and control of the General Accounting Office, which does change existing law. If it does not change existing law, the gentleman's amendment is entirely ineffective for any purpose.

Mr. MAY. Well, if it is ineffective and does not change existing law, the gentleman from Virginia should withdraw his point of order.

Mr. WOODRUM of Virginia. I think it does change existing law.

Mr. MAY. That is a matter for the Chair to rule upon, however.

Mr. DIRKSEN. Mr. Chairman, if the gentleman from Kentucky will permit, it may be more nearly accurate to say that some of the accounts of the Tennessee Valley Authority have been audited by the General Accounting Office, not all of them, and in some cases only check audits are made. So the effect of the gentleman's amendment would be merely to give further expression to existing law, as I see it, whereby no moneys could be disbursed or whereby this procedure could not be carried on until all of them were audited by the General Accounting Office.

Mr. MAY. That is exactly it.

Mr. McLEAN. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield.

Mr. McLEAN. In the hearings, at page 1688, there is an item here of special payments made for consultants and one to the firm of Lybrand, Ross Brothers & Montgomery, for auditing, \$73,459.90, and there are other smaller items for auditing in the same compilation.

Mr. MAY. I will say in answer to that statement, and to the Chair on the question of the propriety of his ruling, that is the very evil I am seeking to correct. The idea of releasing the warrants of this agency that does not care how much it spends or how it spends money and refuse to put them back under the Comptroller General, and I am frank to say this amendment would be ineffective unless Congress did something about it in the future. This Congress does not know and never will know the numerous activities in which it continually engages.

Mr. COOPER. Mr. Chairman, I ask to be heard briefly in support of the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Tennessee.

Mr. COOPER. I feel confident it was readily apparent to the Chair that there is a very clear distinction between the precedent cited by the gentleman from Kentucky and the pending question. Of course, the precedent cited by the gentleman from Kentucky is not applicable to the pending question as it is now presented to the Chair.

I respectfully invite attention of the Chair to the fact that under the statement made by the gentleman from Kentucky his only purpose in offering this amendment is to provide legislation and to change existing law. The gentleman very frankly stated in reply to a question presented to him by the gentleman from Virginia that he had been trying for years to get this done. Therefore, Mr. Chairman, I submit what a man may have been trying for years to get done by legislation he cannot now get done under the guise of a limitation on an appropriation bill, and I submit the point of order should be sustained.

Mr. MAY. Will the Chair indulge me a little further so that I may read a little more of this decision, unless the Chair has read it?

The CHAIRMAN. The Chair will state to the gentleman from Kentucky that he has read the decision the gentleman has referred to.

Mr. MAY. Then the Chair may rule.

The CHAIRMAN (Mr. WARREN). The Chair is ready to rule.

The Chair, as he has just stated, is conversant with the decision cited by the gentleman from Kentucky, made in the House on January 8, 1915. The Chair has looked over the amendment that is now pending and against which a point of order has been made, and it is erroneous for one to say that it would impose duties or extra duties upon the Comptroller General of the United States. The amendment does not seek to do that. It seeks to impose a duty and obligation upon the Congress itself to pass legislation, and the Chair has found a case that seems to the Chair is quite in point along that line.

On June 24, 1922, the House had agreed to a conference report on the War Department appropriation bill and Senate amendments remaining in disagreement were under consideration.

On motion of Mr. Daniel R. Anthony, Jr., of Kansas, the House voted to recede from its disagreement to Senate amendment numbered 225, inserting the following provision:

For the continuance of the work on dam No. 2 on the Tennessee River at Muscle Shoals, Ala., to be immediately available, \$7,500,000.

Whereupon Mr. George Huddleston, of Alabama, moved to concur with the following amendment:

Strike out from said Senate amendment No. 225 the following: "To be immediately available", and add, after the figures \$7,500,000, the following: "Provided, however, This appropriation shall not become available until such time as the Congress shall have taken final action on H. R. 11903, and not then if the subject matter of said bill is enacted into law in a manner as will result in the consummation of contracts for lease and sale of the Government Muscle Shoals property to Henry Ford: *Provided further*, That this provision shall not operate to postpone such availability later than January 1, 1923."

At that time there was in the House a very able Parliamentarian in the person of Mr. William H. Stafford, of Wisconsin, who made the point of order that the amendment proposed legislation on an appropriation bill. There was also in that same body a gentleman who is recognized as one of the greatest parliamentarians to ever sit in the House of Representatives, the late James R. Mann, of Illinois. Mr. Mann said:

This amendment provides, first, that the money shall not be available until H. R. 11903 has been enacted, and shall not be then available if a contract is authorized with Henry Ford, but still shall be available after the 1st of January. It contradicts itself in three or four places, but it is only a limitation.

Speaker Gillett said:

It seems to the Chair that this is purely a limitation on the appropriation. It does not make an appropriation available that the present law does not make available. It simply makes it contingent on a future event, and that seems to the Chair is merely a limitation. The Chair overrules the point of order.

The Chair thinks the amendment offered by the gentleman from Kentucky is a proper limitation, and therefore overrules the point of order.

The gentleman from Kentucky is recognized for 5 minutes.

Mr. MAY. Mr. Chairman, I trust that the gentlemen on my right—to express it so that the country might understand it, the Democratic side of the House—may realize that the Appropriations Committee of this House, with such a capable, such an earnest, such a hard-working, diligent leader as the gentleman from Virginia, CLIFTON A. WOODRUM, is trying to save the taxpayers' pocketbook as much as it can, and I hope when they come to vote on this question, which I expect to prevail, that they will begin to think about the question of whether we ought to turn loose a bunch of gentlemen who have already evinced their desire, not only their desire but their determination, to spend all of the money that they can find in sight, and all that the Congress will give to them. They have already expended down in the Tennessee River, according to the Appropriations Committee report, or will have expended when this \$40,000,000 they are to have in this bill has been expended, over \$300,000,000. They plan to expend in excess of \$200,000,000 more, and, as stated by me to one of the gentlemen while he was discussing this ques-

tion on the floor of the House, it has been claimed by the Directors of the Tennessee Valley Authority that their program would cover 100 years in point of time, that they had already located 106—what they call—appropriate sites for dams on the Tennessee River, and by the time they get them built it will be dammed, sure enough.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. MAY. Certainly.

Mr. WOODRUM of Virginia. Mr. Chairman, I am in entire sympathy with any effort that could be made to cause a complete, careful, systematic audit of the transactions of the Tennessee Valley Authority, but I ask the gentleman to comment on this feature of his amendment—that no part of the appropriation herein made, that is, the whole appropriation of the Tennessee Valley—

Mr. MAY. That is correct.

Mr. WOODRUM of Virginia. Shall be available for expenditure until Congress passes the legislation the gentleman speaks of. Unless Congress by affirmative act passes some additional legislation relative to the Tennessee Valley Authority by July 1, they cannot obligate one penny of the appropriations herein made.

Mr. MAY. That is exactly the purpose and intent of this amendment—that they shall come back here during this session of Congress and ask the gentleman from Virginia and his able assistants to let them furnish some detailed, definite information as to what they intend to do with all of these millions of dollars that they are asking for.

Mr. FADDIS. And is it not a fact that at the present time the T. V. A. does not have to come to Congress and ask authority to build a dam? They do not have to have any authorization legislation.

Mr. MAY. They have not asked it. They have been building dams by coming and getting their nose under the tent and then asking for more money as it goes along. We have authorized them, in addition to all of these appropriations, to sell bonds to the extent of \$61,000,000, or \$61,500,000, to be exact, and they have already sold \$50,000,000 of that bond issue. They have available in that fund unexpended \$11,500,000 in cash. Someone said a while ago and someone was saying in answer to me, asking whether that bond money was not limited to specific purposes. What are they? To buy up additional utilities and properties to increase their revenue in the years to come, and they are boasting now that they are going to make a net income of about twelve to fifteen million dollars in the year 1940. I maintain as Democrats, as men who believe in curtailing the expenses of this Government, that is becoming top-heavy as rapidly as it can, that relief to the taxpayers demands that we use a little caution in these matters.

Mr. EDMISTON. And the T. V. A. is appearing before the gentleman's own committee next Tuesday asking for more money, for Federal funds to replace taxes.

Mr. MAY. Yes; they are coming in for tax legislation.

Mr. JENKINS of Ohio rose.

The CHAIRMAN. For what purpose does the gentleman from Ohio rise?

Mr. JENKINS of Ohio. To support the gentleman's amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. JENKINS of Ohio. Mr. Chairman, I should think that the House would give this amendment its most favorable consideration. The gentleman from Kentucky [Mr. MAY] is trying to do for the T. V. A. what ought to be done. There is nobody who has opposed the T. V. A. any more assiduously than I have, but I have come to the place where every reasonable man must come and that is that we must recognize that we cannot throw to the winds all of these millions of dollars that have been expended in the Tennessee Valley. We cannot blow up these dams. We must go ahead with this work and finish the projects upon which millions have been

spent. What we are asking to do today is something that was strikingly brought out in the hearings which the T. V. A. investigating committee held in 1938-39. You will remember that a year or so ago the Speaker of this House appointed a committee to investigate the T. V. A. I was honored with membership on that committee. We found a lot of irregularities, many of them. We found that the General Accounting Office auditors were 4 or 5 years behind and that twelve to fifteen million dollars of items had not been resolved. They have not all been resolved yet. Here is this gigantic organization marching on, spending millions and millions of dollars, and making no report to the Government except such reports as they prepare and audit themselves. It is the only agency in the Government that does not clear through the General Accounting Office. There is not a single other agency that does not do so. Why should not this agency come under the authority of the General Accounting Office? The Democrats cannot find fault with that Office now. They used to say, "Oh, McCarl! McCarl!" But Mr. McCarl, who was a most fearless and efficient man, has been displaced by a Democrat. A strong Democrat, a former Senator, is now head of that organization. I would be glad that he and his organization should audit this gigantic octopus that seems to ride roughshod over the whole country. It should be done. Those of you who are real friends of the T. V. A. should listen once in a while. We said months ago that you were going to have a tremendous job on your hands because of failure of taxation. You would not listen. Already the T. V. A. is before the Military Affairs Committee asking the Government to come to the rescue. Three or four States are at loggerheads over the question of taxation. A very significant thing about the T. V. A. is that it knows no bounds. State lines mean nothing to it. Every other agency that we know anything about pays some attention to State lines, but here is an agency that starts in North Carolina and marches through North Carolina.

It has to do with the politics of the State. It has to do with the municipal politics of the State, with the school politics of the State, and with the financial politics of the State. It marches down into Georgia, over into Alabama, all through Mississippi, and clear across the State of Tennessee. It moves with an omnipotent tread its purposes to perform. There are five States at loggerheads over this taxation proposition, because this thing marches over State lines and violates their laws, and nobody can control it. It has got beyond everybody. If you are a friend of T. V. A., you will vote that the finances of T. V. A. be put under the General Accounting Office. Who is the General Accounting Office? It is the General Accounting Office of this great United States of America. It has been dominated by Republicans and again by Democrats since it has been founded, and, as far as I know, there has never been any scandal against it. If you are going to vote thirty-nine or forty million dollars, why should you not say, "Let us handle this money like all the rest of the Government's money." I say you are wrong in refusing to do so. You had better stop, look, and listen if you want to do what should be done and before it is too late.

Mr. DIRKSEN. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. DIRKSEN. Is it not rather strange that the T. V. A. spent \$25,000 and \$40,000 for a private audit this year, and resisted the efforts of the General Auditing Office to audit their accounts?

Mr. JENKINS of Ohio. Yes. Do not get it into your minds that those who control the activities of the Tennessee Valley Authority are angelic. They are the smartest bunch of operators that ever imposed themselves on a gullible public. They boast of their superior status. When it is advisable for them to be a Federal agency they assume that status. When it is advisable for them to deny that they are a Federal

agency then they claim that they are an independent organization and are outside of Government regulations, such as those prescribed by the General Accounting Office. They are all things to all men. As proof of that, when we were investigating this hydra-headed octopus, we maintained from the very beginning that our investigation was 90 percent an auditor's investigation. We could not get the committee to take our view of it and compel an audit. But about 4 or 5 days from the time we closed our investigation, the T. V. A. authorities came in with a secret audit that they had procured during the time we were investigating them, and it cost them \$40,000 of your money. They would not permit the General Accounting Office to audit them. They would not permit us to make an audit; yet they spent \$40,000 for a secret audit. The sooner the Congress wakes up to these high-handed tactics, the better off the Government will be, and the better off the T. V. A. will be.

Further, in proof of the dishonest tactics of those who rule this monster money-spending experiment, let me cite you an instance of their practices. Our investigating committee engaged an attorney. I opposed his employment and stated that I felt he was unfit for the place. I had investigated him. The first thing he did when he went down there to make these investigations for our committee was to call those that he thought might be witnesses and tell each and every one of them that they must not talk or give testimony to anyone unless they first cleared themselves through the T. V. A. officials. All during our investigation we were confronted with this same partiality toward the outfit that we were supposed to investigate. [Applause.]

[Here the gavel fell.]

Mr. STARNES of Alabama. Mr. Chairman, I rise in opposition to the amendment proposed by the gentleman from Kentucky [Mr. MAY].

Those of you who have served in this House know that no amendment offered by the gentleman from Kentucky would ever facilitate or be helpful to the program of the Tennessee Valley Authority. He has been opposed to this program from its inception. He has been honest, open, and aboveboard about it, and has repeatedly told this House that he would kill the T. V. A. now if he could. Make no mistake about it. This amendment is the opening wedge for the slaying which he thinks has been long delayed.

From the debate thus far, you would think that the T. V. A. does not have its accounts audited.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I cannot yield in the short time I have.

You would think the T. V. A. accounts are not audited by the Comptroller General. To the contrary, the law specifically provides in title XVI, chapter 12 (a), Tennessee Valley Authority Act, an act approved August 31, 1935:

The Comptroller General of the United States shall audit the transactions of the corporations at such time as he shall determine but not less frequently than once each governmental fiscal year, with personnel of his own selection.

It further provides that all papers and files of the Corporation shall be made available to them. Mr. WIGGLESWORTH, distinguished Member on the minority side, the ranking minority member on this subcommittee, asked Mr. Tulloss of the General Accounting Office when he appeared before the committee this year:

Mr. WIGGLESWORTH. How are you getting along with the T. V. A.?

Mr. TULLOSS. We are getting along nicely.

Mr. WIGGLESWORTH. Are they furnishing you all of the original documents that are necessary for auditing?

Then follows testimony to the effect that they were, and that hereafter, in order to save money, an audit would be made in the field, because it was more economical. He stated further that they had just completed the audit for 1939.

So an audit by the General Accounting Office has been made. It is satisfactory and it is up to date. The gentleman from Kentucky [Mr. MAY] said there was over \$15,000,000 of stolen money—or words to that effect—money that had been illegally spent by this great corporation. I call attention to the fact that Mr. Kohler, the auditor, when he appeared before the subcommittee, said that with reference to the exceptions made to certain expenditures by the T. V. A., out of more than 20,306 exceptions which had been made from 1934 to 1938 the Authority had been notified of the release of 13,520. He further said replies to a majority of exceptions were probably satisfactory.

The sum total of all of it is that the amendment offered by the distinguished gentleman from Kentucky [Mr. MAY] is not an amendment to provide for the auditing of the T. V. A., but in effect an effort to kill the entire program, after the Government has already expended more than a quarter of a billion dollars on this great project.

Make no mistake about it, you are voting to junk the entire program at this hour if you vote for this amendment.

If this amendment is adopted it would require the T. V. A. to come before his committee before the adjournment of this Congress and attempt to get legislation before they could spend one dime of the money provided for in this bill. That is the effect of his amendment. If you are against the T. V. A., if you wish to junk the \$250,000,000 investment in the Valley, vote for the amendment.

Mr. WOODRUM of Virginia. Mr. Chairman, if the gentleman will permit—

Mr. STARNES of Alabama. Mr. Chairman, I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. Does it not even go a little further than that, that any change in the law carrying out what the gentleman's amendment calls for would have to go to the Committee on Military Affairs, of which the gentleman himself is chairman, and if they were so disposed not to report out a bill, they could bring this whole T. V. A. project to a standstill?

Mr. STARNES of Alabama. Absolutely.

Mr. WOODRUM of Virginia. Is not the logical policy to follow, if any fundamental legislation is required for T. V. A., that of having the Committee on Military Affairs report out such legislation? Is not this the logical thing to do, have the gentleman's committee, which has control of it, bring the legislation to the House and have the House pass upon it?

Mr. STARNES of Alabama. Certainly.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I yield.

Mr. MAY. What would the gentleman do if he were chairman of the committee and summoned the directors of the T. V. A. to appear before his committee and they refused to come? What would the gentleman do?

Mr. STARNES of Alabama. The gentleman from Kentucky has the power to bring them before his committee if he wants them. [Applause.]

[Here the gavel fell.]

Mr. VAN ZANDT. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. Does the gentleman wish to speak on the pending amendment?

Mr. VAN ZANDT. Yes.

Mr. Chairman, I rise in support of the motion made by the gentleman from Illinois [Mr. DIRKSEN] to strike out the provision of this bill which would extend and expand the operations of the Tennessee Valley Authority. This item, providing \$1,000,000 to begin construction of the Coulter Shoals Dam, near Lenoir City, Tenn., would further cripple the coal and railroad industries in my district and throughout the country. That is the sole basis of my opposition and I yield to no man in this House in challenging the soundness of that position.

From one end of this country to the other, the cry today is jobs—give us jobs, give us work, let us earn our living. That refrain is chanted by a chorus of 10,000,000 voices of jobless persons. Men and women are crying for work and what do they find? I will tell you what they find in this bill. They find a provision that would further cripple the coal and railroad industries in my district and in every district throughout the country where coal miners and railroaders are employed. The adoption of this provision could mean only one thing. It would mean that more coal miners and railroaders would lose their jobs. This provision is just another method of chiseling coal miners and railroaders out of honest work at decent wages. It should be entitled, "Another provision to put good American citizens on relief."

Let me tell you why that is so: It is a well-established fact that a man-day's labor is lost in the bituminous coal mining and allied industries for every ton of coal displaced in the market by some substitute fuel. That may sound like statistics to you gentlemen of this House whose constituents are not dependent upon the coal mines and the railroads for a livelihood. I represent a district in which those two great industries are the economic backbone of the community. When the coal and railroad industries are in distress, the people of my district are in distress. I wish to see both of these great industries so they may contribute to the prosperity of the Nation.

As I have pointed out, the labor of one man per day is destroyed in the bituminous coal-mining industry and allied industries when some substitute fuel displaces the market for a ton of coal. What, may I ask, is this coal miner to do who has had his job taken away from him? Where is he to find work? He was reared from boyhood in the coal-mining business. He is adapted to that industry, that job. His job has been destroyed by such legislation as this. Must he starve or must he go on relief permanently? Would any of you gentlemen like to be in the position of a coal miner who has had his job destroyed, and taken away from him through no fault of his own?

I say to you gentlemen that any policy which destroys a man's job and fails to provide another job for him so that he can support himself and his family cannot be defended. Yet, that is exactly what is happening in my district and in many other districts throughout the country.

Yes, gentlemen, we are spending more than half a billion dollars to put men and women out of work in your districts and mine. Let us remember that there are 10,000,000 persons out of work now. There were 10,000,000 persons out of work when this administration came into power. There still are 10,000,000 persons out of work. Why is that so? I will tell you one reason why it is so. When industry hires a man, this administration and this Congress adopts such policies as the T. V. A. and another man is robbed of a job. He must either go on relief or charity. That sort of procedure does not make sense to me.

Incidentally, let me mention another policy of this administration which I regard as indefensible. It is a policy which is destroying the jobs of coal miners and railroaders. I refer to the agreement under which the United States Government allows 400,000 tons of Russian coal to come into this country annually. That agreement was renewed only last August. Instead of renewing the agreement, it should have been abrogated. Why this Government should extend any aid to the workmen of Russia is beyond my comprehension, especially when it injures good American citizens.

Do you gentlemen realize what the importation of 400,000 tons of Russian coal annually means to the American coal and railroad industries? It means that 400,000 coal miners in the United States will lose a day's work and a day's wages for every year that agreement is in effect. That means greater hardships for miner's wives and children.

It also means the loss of jobs and the loss of wages to the railroaders of this country. Do you realize that 400,000

tons of coal require 4,000 cars, or about 40 trains to transport it? It also requires about 2,000 railroaders to handle that freight. Do we wish to have coal mined by Russians displace our own coal and cause 400,000 American miners to lose a day's wages every year, and 2,000 railroaders lose their jobs? I think not.

Let me tell you gentlemen that nearly 40,000 persons in my district are dependent upon the coal and railroad industries for a livelihood. These people are entitled to jobs in American industries. They are entitled to protection from foreign competition in coal and from domestic competition in power, such as the T. V. A. They are entitled to be secure in their jobs. The time has come to call a halt to the spending of the taxpayers' money to destroy jobs for American citizens. One section of the country may benefit on the surface, but if the people of another section have their jobs destroyed, the entire country will suffer in the end. Let us take a realistic view of this matter. If we destroy a job by legislation, we must pass other legislation to care for the person whose job is destroyed. Let us keep the jobs for American citizens whose greatest desire is honest work at a wage that will support themselves and their families. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Tennessee [Mr. COOPER] has been allotted 5 minutes under this debate which he has yielded to the gentleman from Alabama, the Speaker of the House, whom the Chair now recognizes for 5 minutes.

Mr. BANKHEAD. Mr. Chairman, as is well known to the membership of the House, since I have assumed the duties of the Speakership it has only been on very rare occasions that I have felt impelled to participate in the debate in the Committee of the Whole; and I have only made up my mind to make another exception to that rule in this case because of what I regard as the supreme importance of a correct decision by this Committee on the amendment offered by the gentleman from Kentucky.

Mr. Chairman, this is no time and probably no place to go back into the old arguments as to whether the great Tennessee Valley program was ever justified, or whether it has justified its own operations up to date, or whether its future permanent benefits to the people of that great section of the country and the entire country will justify further action; but we are confronted here by the consideration of an annual appropriation bill, and in this paragraph which we are now considering provision is made for the entire operations of the Tennessee Valley Authority in all of its ramifications.

This Authority has recently made big contracts for the furnishing of power to the great State of Tennessee. It has other outstanding contracts. It has a large program ahead of it. It has committed itself, through proper authority, to great moral and legal obligations. Here we are confronted by a proposition in the amendment now pending before this House that this appropriation shall not become available unless and until a specific committee of this House, to wit, the Committee on Military Affairs of which my fine friend, the gentleman from Kentucky [Mr. MAY] is the chairman, shall take action and favorably report a bill here to this House setting up the provisions that he incorporates in his amendment as a prerequisite for this appropriation's becoming effective. I ask you gentlemen on this side of the aisle on my left, whether you have agreed with all of the details of the operation of the Tennessee Valley Authority or not, whether it is a sound moral legislative proposition for this whole great enterprise and its operations for the next fiscal year to be jeopardized upon any such contingency as is proposed in this amendment?

Any bill must run a great many hazards. I do not know whether the gentleman's committee would report out a bill. There are a number of Members on that committee who are opposed to this Tennessee Valley program, as is the chairman of that committee opposed to it; and yet, if you adopt this amendment, unless a specific bill is reported out of a

committee of which the chairman himself admittedly is adverse to the entire operation of the plant, the operations of this Authority must cease. Such a bill would have to run the gamut of a favorable report from that committee; it would have to secure recognition upon the floor of the House for its passage; it would have to run the hazard of a special rule, probably, for its consideration. In the meantime time may be running against the calendars of this House, and we may even reach adjournment without any action upon such contemplated legislation; and I assert that it is not fair to this great governmental enterprise—for that is what it is—to subject it to the very unfair hazard, as I see it, of making contingent its entire operation and the carrying out of all its contracts of every nature whatsoever contingent on the passage by the Congress of the United States of a bill setting up certain restrictions upon the auditing of its accounts.

I believe, gentlemen, for these broad reasons—they are not sectional; my State of Alabama is not interested in any of these additional appropriations, but we are interested in the continuation of the operation of the T. V. A.—if, forsooth, by any chance such legislation should not pass at this session of Congress before the 1st day of July, we do not want all of these great electrical transmission lines stopped down in that great area, these rural electrification lines, these contracts with Tennessee, the great fertilizer plant down there which is now just beginning in its experimental work to do something of real benefit to the farmers of this country. I do not think it is right or fair to hazard all of those operations upon the contingency of the passage of a specific bill by the Congress of the United States on a comparatively minor matter before the adjournment of Congress. [Applause.]

[Here the gavel fell.]

Mr. DIRKSEN rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. DIRKSEN. I rise to speak on the amendment.

The CHAIRMAN. The Chair cannot recognize the gentleman.

Mr. DIRKSEN. I rise to strike out the last word.

The CHAIRMAN. The Chair cannot recognize the gentleman because under the agreement to close debate 12 Members stood. The Chair called attention at that time to the fact that he would, of course, only recognize those 12 Members.

Mr. DIRKSEN. May I inquire whether all of the allotted time has been exhausted?

The CHAIRMAN. The allotted time has not been exhausted, but the time has been allotted.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

Mr. HOOK. Mr. Chairman, I object.

Mr. MICHENER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MICHENER. As I understood the request and agreement was that debate be limited to 1 hour. That was entered into at about 2 minutes after 2 o'clock. There has been a lot of voting since that time, and 1 hour has not been consumed in debate. Now, if there is time that has not been consumed under the agreement, then any Member seeking the floor to debate is entitled to recognition and may use the rest of the time?

The CHAIRMAN. The Chair has agreed to recognize five other Members, as there are 25 minutes left.

Mr. DIRKSEN. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. DIRKSEN moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. DIRKSEN. Mr. Chairman, I enlist myself in the case of the pending amendment with some trepidation and with the highest respect for our beloved Speaker. I feel, however, that the situation is not quite so despairing and so dismal as pointed out, for many reasons. In the first place, the appropriation made available in this bill for the Tennessee Valley Authority is for the fiscal year 1941 and is neither available nor subject to expenditure until after July 1, 1940. This is the 18th of January, and it is approximately five and a half months until any of the funds herein made available can be expended. In that five-and-a-half-month period the auditors, accountants, experts, and others of the Tennessee Valley Authority can easily present themselves to the appropriate committee of Congress and there permit an examination of their books. There they can submit themselves to cross-examination and to interrogatories that seek merely to elicit a full and complete picture of this whole audit situation; and in the event that nothing should happen, or in the event that some restriction be imposed, there is always the easy proposition of providing the necessary funds in a deficiency bill. We had three deficiencies in the last session of Congress, exclusive of an urgent deficiency. Let no one think for a moment that we shall come up to the end of this fiscal year, when moneys must be made available for T. V. A. for ordinary purposes, but what there will be a deficiency bill offered in the Appropriations Committee and duly reported to the Congress; so that no Member need cherish any apprehension or alarm that it will be out of operating funds.

Mr. Chairman, this thing is important. As I stated while interposing in the remarks of the gentleman from Ohio [Mr. JENKINS], the T. V. A. spent \$25,000 for a private audit last year and \$40,000 this year. If you will examine the audit, you will find that in the certificate of the auditors it states that they do not pass upon the legality of the expenditures. Under those circumstances it is high time that the Congress go into this matter. What is the truth about the situation? Over \$22,365,000 in items were presented to the General Accounting Office and only \$16,000,000 thus far have been cleared. That is the testimony of Mr. Kohler, general accountant for the T. V. A., and his testimony will be found on page 1698 of the hearings. I admonish you, therefore, that in the case of any enterprise that has already received \$270,000,000 in appropriations, for which the over-all estimate is now \$535,000,000 and to which will be added countless other millions, we are not playing fair with the Treasury or the people's funds unless we cautiously investigate and get a full, clear, and comprehensive picture of the efficiency of the expenditures. I recommend to you the amendment offered by the gentleman from Kentucky [Mr. MAY].

Mr. MAY. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Kentucky.

Mr. MAY. Our beloved Speaker called attention to the fact there were contracts for the delivery of electricity to large corporations and municipalities.

Mr. DIRKSEN. This does not impair contract obligations.

Mr. MAY. They have adequate money and adequate earnings to run it.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, I do not believe any member of this Committee can recall such a high-handed, ruthless attempt to annihilate a Government activity as is attempted by this amendment. Let me say that I am ready to join hands enthusiastically in any movement that will put the Tennessee Valley Authority under the strictest kind of scrutiny of an auditing and accounting system. The Committee on Military Affairs, of which my friend from Kentucky is the distinguished and energetic chairman, is the legislative committee that could report out and bring to the House such a bill. We

know that our beloved friend is fundamentally and unalterably opposed to the Tennessee Valley Authority in every respect.

Mr. MAY. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Kentucky.

Mr. MAY. If the Military Affairs Committee reports out a reasonable bill requiring the Tennessee Valley Authority to secure permission to build a dam that costs \$40,000,000 before they build it, as the War Department is required to do, will the gentleman vote for it?

Mr. WOODRUM of Virginia. Yes; I will vote for it, and I believe the House will pass it.

Mr. MAY. I believe the gentleman will get a chance to do it, too.

Mr. WOODRUM of Virginia. We ought to do it that way, but what do we do? The gentleman from Pennsylvania talks about taking jobs away from people. There are thousands of people working on the Tennessee Valley project, which Congress has authorized and for which we have spent money and obligated money, thousands of them, and ultimately hundreds of thousands of people are dependent upon it; yet we say here that unless the Tennessee Valley Authority goes to a committee presided over by a chairman who is opposed to the entire project, and secures affirmative action, not by just the House but by the whole Congress, before July 1, every penny of its money will be impounded and it cannot proceed with any of its operations.

I want to submit to you that in all our zeal to put the brakes on these activities, or to put them under accounting systems or scrutiny, this is a most unfair and a most ruthless way to treat an activity. I do not remember of such a thing being ever seriously considered or attempted in the House.

What would happen? July 1 will be here pretty quickly. There are many things that will happen between now and July 1. The Committee on Military Affairs is very busy with the defense program. One has to be quite optimistic to be able to say with any degree of certainty that legislation could be reported out of a legislative committee and passed and become final law before July 1. The danger of it, however, is that you put it within the power of a small group of persons to stop the whole activity on July 1.

I submit to you, if we want to make any changes in this set-up, let us do it in the regular way. The House can take such action as it chooses. We have the power and the authority to pass organic, fundamental legislation causing them to account in any way we wish to see it done, and I am willing to join in such a movement, but I do not want to see it attempted in this way, and I hope very much the amendment will not be adopted. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the motion of the gentleman from Illinois that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The motion was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Kentucky [Mr. MAY].

The question was taken; and the Chair announced that the yeas seemed to have it.

Mr. MAY. Mr. Chairman, I ask for a division.

Mr. EDMISTON. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. MAY and Mr. STARNES of Alabama.

The Committee again divided; and the tellers announced that there were—ayes 132, yeas 153.

So the amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER. Mr. Chairman, the gentleman from Illinois in his remarks stated that the T. V. A. would go on and on

and on. My chief concern is that it do not go on and on and on until it enters the State of Connecticut.

On the 7th of January of this year a gentleman by the name of Mr. Leonard Farmer came into the capital city of Connecticut, in my district, the city of Hartford, and over a radio station stated that he was up there directed by the gentleman from Mississippi, Congressman RANKIN, to act as his spokesman. I quote from this broadcast:

Congressman RANKIN, who is the coauthor of the Tennessee Valley Authority and sponsor of rural electric legislation, is unable to answer Mr. Ferguson personally. The Congressman, however, has directed me to be his spokesman in this matter at this time.

On reading the broadcast I would have recognized the handiwork of our good friend from Mississippi [Mr. RANKIN] if his name had not been mentioned, because the broadcast was chiefly devoted to a story not new to the residents of Connecticut—that of the alleged \$18,000,000 overcharge by the public utilities in and around Hartford County.

There is no resident of Hartford County who would like more than I to see electric rates reduced and to have a smaller electric-light bill, but on the whole we are quite well pleased with the situation in the city of Hartford. The rates charged for electricity are under the control of a State commission, at the present time a commission appointed in major part by a Democratic Governor, a commission trying to arrive at a reasonable rate for electric current. This area is served by the Hartford Electric Light Co. It may interest the Committee to know that during a hearing before the Federal Power Commission—and no one will accuse the Federal Power Commission of being overfriendly to the utilities—the Hartford Electric Light Co. was held up as a good example of what a good public utility should be; but in spite of that the people of this area are being subjected to propaganda for the establishment of a little T. V. A. in the State of Connecticut.

In this broadcast reference was made to the alleged \$18,000,000 overcharge, as I have said. We in Connecticut consider the often-mentioned \$18,000,000 not as an overcharge but as an indication of the subsidy now going into T. V. A.

The essence of the matter is not whether T. V. A. rates are lower than those in Connecticut. It is admitted that they are; but the question is whether the difference is a measure of overcharge in Connecticut or a measure of the direct and indirect subsidies received by the T. V. A. at the expense of the Nation's taxpayers.

The accusation that the difference is an overcharge is disposed of by the fact that the State reports show that, if revenues should be reduced by the amounts stated as "overcharge," all earnings would be eliminated and, in addition to the elimination of all dividend and interest payments, pay rolls would have to be materially reduced in order to make ends meet; which shows the absurdity of the accusation.

In the closing paragraph of this broadcast Mr. Farmer urged his listeners to make known to their Representatives in Washington their desire for a little T. V. A. in Connecticut. Now, one of two things is certain: Either by the end of the broadcast there were no listeners or there was nobody listening who cared about having a T. V. A. in Connecticut, because from that day to this, from the 7th of January until now, 11 days have elapsed, and I have not received a single request for a little T. V. A. as a result of that appeal. This indicates to me that the people of that area want no part of T. V. A. in Connecticut. [Applause.]

While I did not get a communication supporting Mr. Farmer's position from a constituent, I did get a letter from a former resident of the State of Tennessee, who wrote as follows:

I just heard some man on the Hartford—WTIC—radio talking about T. V. A. Five counties in Tennessee are short of tax money and cannot complete their school terms since T. V. A. took over, due to loss of taxes formerly paid by private utilities.

Due to poor planning by T. V. A. and scaring off utility building, Tennessee is now faced with power shortage.

The writer names four companies that have had to lay off hundreds of men because of lack of power in T. V. A. facilities.

He enclosed a memorandum from a benefit association composed of former employees of T. E. P. stating that many of them were in need of relief due to the fact that these former T. E. P. employees were not hired by T. V. A. or by the cities and co-ops due to their age. It makes one heartsick to read the pitiful stories of men who have given their best years developing the Tennessee Power Co. to a successful concern and now unable to find employment in that area. If the Federal Power Commission really wants to make possible lower electric-light and power rates in my district, it can contribute by desisting in its present practice of having the Hartford Electric Light Co. go to great expense in sending men down to Washington for hearings of all kinds. Such a hearing was recently commenced by the Federal Power Commission in an attempt on the part of the Commission to bring the Hartford Electric Light Co. under its jurisdiction. Several sessions were held, and the hearing now stands in recess. The cost of this Government interference, in the final analysis, must be paid by the consumers on the Hartford Electric Light Co. lines. In view of the record made by T. V. A., I hope that some way will be found to stop the growth of this expensive monster before it reaches into the fair State of Connecticut. [Applause.]

Mr. KEFAUVER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEFAUVER: Page 69, line 8, before the colon, insert a semicolon and the following: "and, in addition, \$1,000,000 for the construction of a highway and bridge on the Chickamauga Dam."

Page 69, lines 8 and 9, strike out the words "this appropriation" and insert in lieu thereof the words "these appropriations."

Mr. KEFAUVER. Mr. Chairman, it may seem unusual, in view of the economy wave, that I would present this amendment; but I did want to state my case to you, because I feel I have a good one.

This amendment appropriates money for the building of a bridge across Chickamauga Dam; or, I might say, it is to be more of a roadway than a bridge, because it goes along over the top of the dam as a roadway until it comes to the lock, and then it is a bridge.

This is not a project merely for the benefit of the people of my district but it serves a national purpose in making accessible to the people all over the United States the scenic and recreational facilities of this region. May I add that in the first place this was the greatest dream and ambition of the distinguished statesman whom I have the honor of succeeding in this House. I refer, of course, to Judge Sam D. McReynolds. Many of you who knew him well have heard him speak of a bridge across this magnificent dam; and of all the projects that he wanted for his region, I think this came foremost.

Chickamauga Dam, as you will notice from this map, is 7 miles from the heart of Chattanooga, a metropolis of 140,000 people. Roads lead from the north side of the Tennessee River to the north end of the dam and from Chattanooga to the south end of the dam. Thousands of people go each day to either side of the dam, and yet there is no way of going across it. The State of Tennessee is building splendid recreational parks on the south side, and on the north side is a marine park and other parks. If this bridge is built, it will make possible the utilization of that great and beautiful lake there.

I also want to call your attention to the fact there is no bridge between Chattanooga and Loudon, which is 75 miles north.

United States Highway 27 is the main highway to Lexington, Ky., and to Cincinnati and on up to Chicago and points north.

It goes within 3½ miles of the north end of Chickamauga Dam. United States Highway 11 is the principal highway to Knoxville, Washington, and points northeast. It comes within 2 miles of the south end of Chickamauga Dam. The principal highway to Atlanta and to Florida, which is a good place to go at this time of the year, is United States Highway 41, which runs along parallel with United States Highway 11, and is within 7 miles of the south end of Chickamauga Dam. So you can readily see from this map that roads have already been built from the north end to United States Highway 27, and from the south end to United States Highway 11 and United States Highway 41; and the State of Tennessee, I have been reasonably assured, will build fine connecting roads if a roadway is put across this dam, so that traffic coming from the North, instead of having to go through the congestion of Chattanooga traffic, can go across the dam and proceed into this region here [indicating on map] or proceed south on the Atlanta road. This will save approximately 14 miles, in addition to avoiding the congestion of Chattanooga traffic.

We have two bridges in Chattanooga, one of which is old and antiquated. Something has got to be done to relieve that traffic congestion on Chattanooga. These bridges were constructed in Chattanooga at county and city expense. No part of it was built by the Federal Government.

I ask your support of this amendment.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Tennessee [Mr. KEFAUVER] has been very industrious and energetic in speaking to members of the committee and to Members of the House in regard to this desirable bridge improvement as embodied and called for in his proposed amendment.

The gentleman states a very persuasive case. The amendment, however, if adopted, would increase the amount of the Tennessee Valley appropriation by \$1,000,000, and would include an item which has not been passed upon by the Budget or considered by the Appropriations Committee. Under the circumstances, I should not like to see the amendment adopted, but would hope that the gentleman would present the matter to the Budget prior to the time the next annual appropriation comes up for the Tennessee Valley Authority and let the matter have a hearing and consideration by the Budget and also a hearing before the Appropriations Committee.

I hope the amendment will not be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. KEFAUVER]. The amendment was rejected.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Dakota [Mr. CASE].

The Clerk read, as follows:

Amendment offered by Mr. CASE of South Dakota: Page 69, line 8, strike out "\$40,000,000" and insert in lieu thereof "\$36,000,000."

Mr. CASE of South Dakota. Mr. Chairman, I shall take only a moment. By reference to the report of the subcommittee, anyone can see that the item for Federal aid to roads is cut \$25,000,000 from last year, which is a cut of 20 percent; that secondary or feeder roads are cut 40 percent. As already called to your attention this afternoon, the Budget recommendations for flood control are cut from \$133,000,000 to \$70,000,000, or a cut of 47 percent. Farm parity payments, we are told, have been entirely eliminated under the Budget recommendations, a cut of 100 percent. This amendment merely reduces the total over-all appropriation for the T. V. A. from \$40,000,000 to \$36,000,000, a flat cut of 10 percent. The T. V. A. has no permanent commitments such as the Veterans' Administration. This will not cripple their program or eliminate any essential activities. It simply gives them a 10-percent cut so that they may get the habit of economy along with the other agencies.

The CHAIRMAN. All time has expired. The question is on the adoption of the amendment offered by the gentleman from South Dakota.

The question was taken; and on a division (demanded by Mr. CASE of South Dakota) there were—ayes 94, noes 127.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In addition to the contract authorizations of \$115,000,000 contained in the Third Deficiency Appropriation Act, fiscal year 1937, and \$230,000,000 in the Independent Offices Appropriation Act, 1940, the Commission is authorized to enter into contract for further carrying out the provisions of the Merchant Marine Act, 1936, as amended, in an amount not to exceed \$150,000,000.

Mr. TABER. Mr. Chairman, I make the point of order against the paragraph on the ground that it is legislation on an appropriation bill. I refer to the paragraph beginning in line 22, page 71, and ending in line 3, page 72.

Mr. BLAND. Mr. Chairman, I desire to be heard upon the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman from Virginia on the point of order.

Mr. BLAND. Mr. Chairman, it will be noted that the language to which objection is made provides that in addition to the contract authorizations contained in the Third Deficiency Appropriation Act, fiscal year 1937, the Commission is authorized to contract for further sums carrying out the provision of the Merchant Marine Act of 1936, as amended, in an amount not to exceed \$150,000,000. My contention is that that is not an authorization but purely a limitation; that if it is in effect at all, it is merely a declaration of the Congress of a desire that the Maritime Commission shall enter into contract, because the authorization for entering into the contract exists in the Merchant Marine Act of 1936. This is not a limitation on any appropriation. It is merely that they shall not enter into contract beyond this sum, and expresses a hope that the contract should not be entered into. It is not a limitation on any funds that are being appropriated. The Merchant Marine Act itself of 1936, in section 207, expressly provides and gives authority to enter into these contracts. Section 207 provides that there is authorized to be appropriated such sums as are necessary to carry out the provisions of the act. Under section 207 the Commission may enter into such contracts on behalf of the United States and may make such disbursements as in its discretion may be necessary to carry on the activities authorized by the act.

In the same way, in section 210, it is made the duty of the Commission to study, procure, and adopt a long-range program for effacement and additions to the American merchant marine. Section 502a authorizes the Commission to enter into contracts for construction of proposed vessels and for the payment to the shipbuilders of the contract price of the vessels out of the construction fund of the Commission or out of other available funds. Section 702 authorizes the Commission to have constructed such new vessels as it shall determine may be required to carry out the object of the act.

Section 702 prescribes the conditions upon entering into contracts for the building of such vessels. There are a number of other limitations of the same kind.

The point I make is that if this language has any effect at all it is a limitation, or if not a limitation, merely a declaration on the part of the Congress of a hope that these contracts shall not be made, the authority existing in the original act, and this proving no limitation upon that.

The CHAIRMAN. The Chair is ready to rule.

Mr. TABER. Mr. Chairman, there is something to say on the point of order. Almost every one of the sections that has been read specifically says "out of available funds." The general situation is that these contracts cannot be entered into without specific authority, and those things are not provided for in the general legislation.

The CHAIRMAN (Mr. WARREN.) The Chair is ready to rule.

The gentleman from New York [Mr. TABER] makes the point of order that the paragraph now under consideration is legislation on an appropriation bill. Of course, it is well known that the United States Maritime Commission has authority under the law to enter into contracts. Assuming that to be true, what would be the purpose in that Commission having authority under an appropriation bill to enter into contracts, unless it was for some new purpose?

An almost similar proposition of this kind came up on the second deficiency bill on April 28, 1937, at which time the Committee of the Whole was presided over by Mr. Vinson of Kentucky, when an amendment was offered dealing with the Tennessee Valley Authority. The Chair, at that time, construed it to be legislation on an appropriation bill. The present occupant of the chair so construes it, and sustains the point of order.

Mr. MAGNUSON. Mr. Chairman, I move to strike out the last word.

In June 1938 Congress set up in the Civil Aeronautics Act the first unified and comprehensive national policy ever adopted for civilian flying in the United States. On August 22 of that year the Civil Aeronautics Authority took office to administer that act. That is not quite 17 months ago. Many a new governmental agency in the past has excusably used up that much time in simply getting organized, and two or three times that period in making itself felt in the field of its activities.

But, evidently, the Civil Aeronautics Act, the American aviation industry, and the Civil Aeronautics Authority, together make a very exceptional and potent brew. Let us look at this civil aviation as it was the year before this act was passed and as it was in 1939. During the calendar year of 1937 the domestic air lines in this country carried 1,100,000 passengers. In 1939 they carried 1,900,000 passengers, an increase of 73 percent. The air-express business in 1939 was 28 percent better than in 1937. The domestic air lines handled 27 percent more air-mail traffic in 1939 than in 1937.

As a result of this increase in traffic, the air-line industry, which, in the spring of 1938, was facing bankruptcy, is today a financially sound asset in our national economy which employs 9,445 people within the limits of the United States, and some 4,870 more beyond our borders.

Beyond doubt, the largest contributing factor to this new acceptance of air transportation by the American public is the new level of safety which these carriers have achieved in their operations. In the last 368 days the 17 air lines in the United States have suffered only one fatal accident. During that period they have flown a total of over 82,000,000 miles. For the last 10 months of that period they have flown without a single passenger fatality, doing a job of passenger carrying equivalent to transporting a quarter of a million people from New York to San Francisco.

A large part of the credit for this safety record must go to the pilots, the mechanics, the dispatchers, the executives of the air lines. At least an equal share of the credit should go to the Congress, which framed the Civil Aeronautics Act, and to the Civil Aeronautics Authority, which administers it. The Civil Aeronautics Authority has watched over air-line safety like a mother watches over the health of a new-born child. From the very week it took office it began a policy of encouraging the air lines to set up their own agreements, eliminating practices which had contributed to accidents in the past. It has, through its own technical experts and through the Air Safety Board, conducted a constant study of all air-line mishaps and issued numerous regulations designed to increase air-line safety, which its field inspectors have then enforced with a new thoroughness. It has, through the Administrator, substantially extended and greatly improved the

efficiency of the Federal airways system of aids to aerial navigation—those radio course beams, those beacon lights, those emergency fields, those centers of traffic control—upon which the entire operation of the air lines has come to depend. Granted adequate funds, there is no reason why the efforts of the Authority to insure air-line safety will not continue to be effective. With continued safety, there is no reason why the swift growth of air-line traffic and service to the communities will not continue.

Progress has been equally spectacular in the field of non-scheduled aviation. At the end of 1937 there were 17,681 citizens of the United States holding civilian pilot certificates. At the end of 1939 this number had risen to 31,264. At the end of 1937 there were 9,152 certificated civilian aircraft. Two years later there were 12,829. The total number of air-planes produced for civilian use in this country during 1937 was 2,289. The total number produced during 1939 reached a total of 3,800. The safety of this nonscheduled flying during 1939—and once again the Civil Aeronautics Authority deserves a substantial share of the credit—has improved 20 percent over 1937.

What is interesting and vital here is that these increases represent a new participation by individual Americans in aviation. In 1940 this rate of growth should not only continue, but be vastly stimulated by the training of no less than 10,000 new pilots in the civilian-pilot training program. Units have been installed in some 437 colleges and universities located in all 48 States, in Alaska, Hawaii, and Puerto Rico. In addition units have been set up in 70 communities throughout the United States for training persons not enrolled in colleges. With adequate backing of this program, the Civil Aeronautics Authority estimates that by June 1941 there will be more than 70,000 holders of civilian-pilot certificates in this country, more than a threefold increase over the number in force when it took office.

There are a dozen other items of civil aviation progress that could be added to the list—things like the establishment of trans-Atlantic airplane service, the Authority's excellent record in deciding rate cases and cases involving certificates of public convenience and necessity, a new effectiveness in the coordination of civilian aviation with the activities of the Army, the Navy, and the State Department, general technical progress in a number of fields, all operating toward a general increase in safety—but the main facts are enough to establish the one outstanding conclusion that this act, this industry, this Authority, rates every consideration that we can give. [Applause.]

The Clerk read as follows:

Total, Veterans' Administration, \$580,180,544: *Provided*, That no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes.

Mr. VAN ZANDT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VAN ZANDT: On page 77, line 6, after the period, insert: "*Provided further*, That no part of this appropriation can be used for hospitalization or examination of persons other than veterans, unless a reciprocal schedule of pay is in effect with the agency or department involved."

Mr. FITZPATRICK. Mr. Chairman, I make a point of order that that is legislation on an appropriation bill.

Mr. VAN ZANDT. Will the gentleman reserve the point of order?

Mr. FITZPATRICK. Yes; I will reserve the point of order.

The CHAIRMAN. The gentleman from New York reserves the point of order. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. VAN ZANDT. During the general debate on this bill, I called to the attention of the gentleman from Virginia [Mr. WOODRUM] the fact that the employees of several Federal agencies, including the Civilian Conservation Corps, the Works Progress Administration, the Post Office Department,

the Civil Service Commission, and the Unemployment Compensation Commission, also beneficiaries of the Railroad Retirement Board, are being examined by the medical staffs of the Veterans' Administration facilities scattered throughout the country. In many cases the employees of these Federal agencies are hospitalized and spend many weeks in veterans' facilities. I further pointed out at that time that all of the agencies referred to reimburse the Veterans' Administration at the rate of \$3.75 a day for each person receiving medical service, with the exception of the Post Office Department, the Civil Service Commission, and the Unemployment Compensation Commission. These three agencies enjoy a special privilege that is charged to the expenses chalked up for the veterans of our wars. Since that discussion of this subject on the floor of this House, I have made special inquiry into this entire matter and I find that the position I took at that time was sound and correct in every detail.

In order to bear out my statement, I read from the printed hearings before the Committee on World War Veterans' Legislation taken last spring when General Hines appeared before our committee. I quote:

Mr. VAN ZANDT. General, may I interrupt you a moment? Can you furnish us with figures of the number of C. C. C. boys as well as post-office employees and other employees of the Federal Government who are hospitalized in Veterans' Administrative facilities?

General HINES. Yes; I can give them to you right now. This report is dated January 31. Of the total load hospitalized by types out of 71,432 grand total, we had 321 that were nonveterans. They would be divided between the C. C. C. people put in by the Employment Compensation Commission generally to be studied and to determine whether they are to be compensated for injury in the Government service, and some retired, either enlisted men or officers of the Army or the Navy. Now, in all cases except the Compensation Commission they pay the Veterans' Administration for the treatment at a reciprocal rate of \$3.75 a day, established by the Federal Board. In no circumstances would any of those be taken in except as an act of humanity where somebody would be sent to our hospital for immediate treatment, if the bed was needed for the veteran. Now, it is true, and I think that is probably what you have in mind, because I know your interest and activity in hospitalizing veterans, it is true that if a C. C. C. boy comes in with a bad fracture, most of them are fractures or emergency operations for appendicitis or something, but fractures are generally the type that take the bed. But they are only hospitalized by the Army when our facility is available and the Army has none. They take care of the C. C. C. in their own hospitals wherever possible.

Mr. VAN ZANDT. In connection with the post-office employee being examined at one of your facilities?

General HINES. That is provided for by the civil service.

Mr. VAN ZANDT. They pay for it?

General HINES. No; but after a number of recommendations on that score I was advised by the Director, or the Acting Director of the Bureau of the Budget that he agrees with me on the suggestion that all services rendered other Government agencies should be reimbursed to the Veterans' Administration.

Mr. VAN ZANDT. At the present time it is not?

General HINES. It is not; except for the Army, the C. C. C.

The CHAIRMAN. General, that includes the Army and Navy?

General HINES. The Army and Navy do it now.

The CHAIRMAN. They do?

General HINES. They do it now. And the C. C. C. But the Compensation Commission and the Civil Service Commission do not pay us for examinations.

The CHAIRMAN. But I notice, at least I gather the impression when they begin to attack the Veterans' Administration about its expenditures, that they do not allocate the expenses the Administration incurs in taking care of the Army and Navy and these other people to whom the gentleman from Pennsylvania is referring.

General HINES. You can say in the matter of hospitalization it is a small matter. But in the matter of examinations it is becoming a very important factor, and in the question of examination for civil service it will become so. It was for that reason I made the recommendation that no matter what is done for another Government agency—we should do it, I think, wherever we can do it without denying the veterans relief—we should be reimbursed, for two good reasons: It is good business, and it is good budgetary practice, as they actually know the cost of the other agencies of the Government.

Now, in order that you may have some idea of the extent of these activities, most of them relate to what is known as outpatient, but let me give you the examinations, for instance, made for the Civil Service Commission. During the month of December 1938 there were 1,082 individuals examined. The Employees Compensation Commission, 59; 60 allied pensioners, that is principally for Canada and Great Britain, where their veterans are in the United States, we have a reciprocal agreement with them that they will hospitalize

any of our veterans in Canada and we will hospitalize theirs, and we are reimbursed, which, I think, is a fair rule and very helpful.

Now, for the Civilian Conservation Corps we had 78. Works Progress Administration, 205. Railroad Retirement, 257, but they are paid for. The Railroad Retirement reimburses us for examinations. Now, the total number of individuals examined that month was 30,536. So the committee can well see that the agency that causes the greatest amount of work is that of the Civil Service Commission, and that is probably caused by the Post Office Department.

Mr. VAN ZANDT. Have you any idea, General, how long it takes to examine one of these individuals?

General HINES. It depends entirely on the character of the examination. If they are to go through the clinic it will take a day.

The CHAIRMAN. How long will it take; a day?

General HINES. It will take a day. If they found any great involvement that will require any special tests, for instance, a gastrointestinal X-ray service, it will require 2 or 3 days. But the general examinations are those that are made within 2 or 3 hours.

Mr. VAN ZANDT. Then I understand, General, with the exception of the Army, Navy, and C. C. C., and the Railroad Retirement Board, the other agencies of the Federal Government who send their employees to the Veterans' Administration pay nothing?

General HINES. For examination?

Mr. VAN ZANDT. For examination. And that is charged against the veterans?

General HINES. That is charged against the veterans, but it will not be any longer because the Director of the Bureau of the Budget has agreed that for any service rendered he will see that we are reimbursed.

Mrs. ROGERS. How much do they pay for care at a hospital?

General HINES. We have a reciprocal rate of \$3.75 a day.

Mrs. ROGERS. The Army and Navy pay you?

General HINES. The Army and Navy pay us, and we pay them when they hospitalize, with one exception, in the tubercular Fitzsimons General Hospital at Denver we pay a \$4 rate. Of course, hospitalization of tubercular patients is much more expensive.

Mr. VAN ZANDT. General, how long has this been going on?

General HINES. Well, it has been going on from the beginning. My argument on the question of reimbursement has been going on about 3 years.

The CHAIRMAN. Who pays for these W. P. A. patients?

General HINES. We have no W. P. A. in our hospitals, unless it would be taking a person in as an act of humanity who was brought there, as any hospital will take them in, if they are able to, as any private hospital will, and if our own are able to, and if they have to be hospitalized as an emergency, they reimburse the Veterans' Administration.

The CHAIRMAN. I understand; but who reimburses for the W. P. A.?

General HINES. There is no reimbursement for the W. P. A. We will not take in the W. P. A. unless they are veterans in the W. P. A. Some are not eligible except under the emergency case where a man is brought to a hospital at a point where there is no other agency to take care of him.

The CHAIRMAN. I was going to say if we are not reimbursed there is a rather dangerous line of demarcation for us to be watchful of. By the way, let me ask about these 300; how many of these W. P. A. men did you say were examined?

General HINES. W. P. A. that were examined, Works Progress Administration, 258 during January. That was not necessarily hospitalization.

The CHAIRMAN. No; but they were examinations?

General HINES. Yes.

The CHAIRMAN. That were made at the expense of the Veterans' Administration?

General HINES. That is right.

The CHAIRMAN. And yet every time anybody wants to jump on the veterans they jump on the expense of the Veterans' Administration, and we have to crawl through the eye of a needle, from a legislative standpoint, to get our bills through, and you can get one through just by saying "W. P. A." It looks like to me here is the point I am driving at—that the expenses ought not to be added to the Veterans' Administration, and, incidentally, to the veterans.

General HINES. That is correct.

The CHAIRMAN. And if it is going to grow there is a probability of its shoving the Veterans' Administration out on the outside.

General HINES. That is the fear I had—that it would grow; that caused me to ask for reimbursement. There is one type of W. P. A. worker, Mr. Chairman, that might land in our hospitals. That would be in a case of accident, where the Compensation Commission would have them hospitalized. And I have no doubt Congressman VAN ZANDT's case of the post-office employee is probably a case of accident, which was put in our hospital by the Compensation Commission because it could include any Government agency.

In addition to the information furnished by General Hines, in the testimony just referred to, I am informed by the Veterans' Administration that during the month of December 1939, 1,323 employees of the Post Office Department, Civil Service Commission, and the Unemployment Compensation

Commission were examined by the medical staffs of various veterans' hospitals. In order to make a complete medical check-up on these Federal employees, it was necessary for the doctors to conduct 3,812 separate examinations.

Now, mind you, as I read from the testimony of General Hines a moment ago, some of these Federal employees spend from 2 to 3 days in the veterans' hospitals if special examinations are required. I was further informed by the Veterans' Administration today that the departments and agencies enjoying this special privilege are opposed to reimbursing the Veterans' Administration for these services.

Now, in reference to the point of order made by my friend the gentleman from New York [Mr. FITZPATRICK] I insist that my amendment is not legislation but a limitation such as already exists in the pending bill.

I ask the Members of this House whether it is fair for the employees of the various departments of the Government to receive medical services at veterans' facilities and then have those services charged against the veterans? I do not believe that any Member of this House will disagree with me about the unfairness of such a practice. Gentlemen, I ask your support of my amendment which will give the veterans a fair deal in this matter. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. Does the gentleman from New York make his point of order?

Mr. FITZPATRICK. Mr. Chairman, I am not familiar with the amendment offered by the gentleman from Pennsylvania. I do not know whether the Veterans' Bureau has been compensated or not. The gentleman knows of my interest in the veterans and that I would not do anything to harm them. I cannot believe that General Hines would do anything to injure the veterans of this country, for I feel that he is one of their greatest champions.

Not being familiar with the effect of the amendment offered by the gentleman from Pennsylvania, I must insist on my point of order.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. FITZPATRICK. I yield.

Mr. VAN ZANDT. My good friend the gentleman from New York [Mr. FITZPATRICK] finds himself in a very difficult position, as I know he is a real friend of the veterans. In the absence of the gentleman from Virginia [Mr. WOODRUM], who is in charge of this bill, I know that the gentleman from New York is duty bound to oppose all amendments. That does not reflect his personal views on this matter, and when this point of order has been settled the gentleman from New York will be free to support the veterans, as he always has done since he has been a Member of this House.

I am aware that in the district represented by the gentleman from New York, in the Bronx Veterans' Administration Hospital, veterans are forced to wait in line while employees of Federal Government departments are being examined by the doctors at the hospital. Apparently the gentleman from New York is not aware of the fact that the cost of examining the employees of the Post Office Department and Civil Service Commission is charged to the Veterans' Administration.

Mr. FITZPATRICK. If that situation exists, I am opposed to it because I never have voted against any measure of merit that would benefit the veterans.

The CHAIRMAN. The gentleman from New York has made a point of order against the amendment offered by the gentleman from Pennsylvania.

The Chair is of opinion that the amendment is in the nature of a limitation, and therefore, overrules the point of order.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I believe the amendment offered by the gentleman from Pennsylvania to be a proper one and that it should be adopted by the committee. [Applause.] There is no question but that the argument of the gentleman from Pennsylvania is sound. My friend, the gentleman from New York, who we all know is strong in his championing of the cause of the veteran, frankly admits that he does not know anything about the situation, that otherwise he would support the amendment if such situation existed.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I know that such situation does exist. Yes; I yield to the gentleman from New York.

Mr. FITZPATRICK. I will support the amendment.

Mr. McCORMACK. Then I believe it is unnecessary to argue further. I hope the amendment will be adopted. [Applause.]

Mr. MILLER. Mr. Chairman, I move to strike out the last word for the purpose of asking the author of the amendment if his amendment contains anything that would prevent the admission to a veterans' hospital of an accident case occurring outside of the hospital.

Mr. VAN ZANDT. Oh, no.

Mr. MILLER. That is covered?

Mr. VAN ZANDT. Yes.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I think the members of the Committee also ought to know that there are certain people not veterans who are hospitalized in veterans' hospitals for whom no compensation is being paid to the Veterans' Administration. This ought to be taken into consideration at this time. The members ought to realize that certain civil-service employees are being hospitalized but that the departments to which they are attached do not pay a penny for their hospitalization.

I am delighted that the gentleman from New York has agreed to support the amendment.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman from Massachusetts yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. VAN ZANDT. When a person is admitted to a Veterans' Administration facility from the Railroad Retirement Board, or the W. P. A., or from the Civilian Conservation Corps, these agencies reimburse the Veterans' Administration at the rate of \$3.75 per day.

Mrs. ROGERS of Massachusetts. But not in every case.

Mr. VAN ZANDT. Not in every case. Exceptions are made in some cases. My amendment would make it mandatory that the Veterans' Administration be reimbursed for every person not a veteran.

Mrs. ROGERS of Massachusetts. Yes. This should not be charged up against the Administration as a cost on behalf of the veterans. It should be distributed through the different departments benefited instead of all being borne by the Veterans' Administration. The following is a table showing the number of veterans' hospitals, the veterans and nonveterans receiving domiciliary care, and so forth. January 4, 1940, there were 1,176 nonveterans hospitalized in veterans' facilities.

Veterans' Administration facilities	Standard bed capacity		Beneficiaries receiving hospital treatment										Beneficiaries receiving domiciliary care					Admin-Grand total, all beneficiaries in Veterans' Administration facilities	Overcapacity (included in grand total, beneficiaries)				
	Hospital	Domiciliary	United States veterans				Non-Veterans' Administration						Total beneficiaries receiving hospital treatment	Service-connected	Non-service-connected	Included in service-connected and non-service-connected	Total beneficiaries receiving domiciliary care		Hospital			Domiciliary, total	
			Service-connected	Non-service-connected	Observation for insurance, pensions, or compensation	Temporary hospitalization	Civilian Conservation Corps	Pending Emergency Conservation Corps authorization	Work Projects Administration	Employment compensation	Emergency Conservation Corps—other than Work Projects Administration	Others							Total non-Veterans' Administration	Neuropsychiatric	General		Total
TUBERCULOSIS																							
Castle Point, N. Y.	479		59	403							3	3	465					465					
Fort Bayard, N. Mex.	305		33	172	2		7				1	7	214	1			1	215					
Legion, Tex.	420		53	337	8						3	4	402					402					
Livermore, Calif.	339		46	233	1						5	5	290					290					
Oteen, N. C.	850		106	638	2		9				18	27	773	2		2	2	775					
Outwood, Ky.	375		69	276	8		3				1	4	357					357					
Rutland Heights, Mass.	467		44	376	5						4	8	433					433					
San Fernando, Calif.	360		116	205							7	7	328	2		2	2	330					
Sunmount, N. Y.	518		41	360			4				4	1	410					410					
Tucson, Ariz.	358		92	237	4						2	4	339					339					
Walla Walla, Wash.	400		37	329			1						367					367					
Whipple, Ariz.	401		25	197	4	1	5		3			8	235					235					
Total, tuberculosis hospitals (12)	5,272		721	3,763	34	1	29		3	44	18	94	4,613	5		4	5	4,618					
NEUROPSYCHIATRIC																							
American Lake, Wash.	710		238	444	3		1					1	686	1			1	687					
Augusta, Ga.	1,061		445	632									1,077					1,077	16		16		
Augusta, Ga., annex (Milledgeville)	27		13	14									27					27					
Bedford, Mass.	1,116		450	714									1,164					1,164	48		48		
Camp Custer, Mich.	1,010		353	687					1			1	1,041					1,041	31		31		
Canandaigua, N. Y.	1,115		333	756							1	1	1,090					1,090					
Chillicothe, Ohio	1,195		499	749	1						1	1	1,251					1,251	54	2	56		
Coatesville, Pa.	1,459		539	949	2						2	2	1,492					1,492	33		33		
Danville, Ill.	1,798		295	1,493									1,788					1,789					
Downey, Ill.	1,135		528	698									1,196					1,196	61		61		
Fort Lyon, Colo.	805		162	515									677	1			1	678	8		8		
Gulfport, Miss.	788		222	539	6								767					767					
Knoxville, Iowa	1,146		442	626			1					1	1,069		1		1	1,070					
Lexington, Ky.	559		121	437	1							3	559					559					
Lyons, N. J.	1,392		475	749								3	1,227					1,227					
Marion, Ind.	1,509		526	990	2						1	5	1,524					1,524	15		15		
Mendota, Wis.	295		182	114									296					296	1		1		
Northampton, Mass.	773		352	425								1	778					778	5		5		
North Little Rock, Ark.	1,360		426	774			3					3	1,203				1	1,204					
Northport, L. I., N. Y.	2,220		1,052	1,077	1							3	2,133	2			2	2,135					
Palo Alto, Calif.	1,026		463	647								1	1,112					1,112	91		91		
Perry Point, Md.	1,296		536	792								1	1,328					1,328	32		32		
Roanoke, Va.	1,008		206	835	3								1,044					1,045	36		36		
Roseburg, Oreg.	560	6	106	322							1	3	432	1		1	1	432					
St. Cloud, Minn.	1,046		404	624	1								1,029					1,029					
Sheridan, Wyo.	598		214	355			3	2				5	574					574					
Tuskegee, Ala.	1,498		248	1,221	4						1	2	1,476					1,476					
Waco, Tex.	1,122		203	804	1								1,008					1,008					
Total, neuropsychiatric hospitals (27)	29,627	6	10,033	18,952	25		8	2	1	5	22	38	29,048	1	7	4	8	29,056	431	2	433		
GENERAL MEDICAL AND SURGICAL																							
Albuquerque, N. Mex.	259		28	162	4		10	1		1	1	13	207					207					
Alexandria, La.	621		22	501	14								537	2		2	2	539					
Atlanta, Ga.	265		26	235	3	4					2	2	272	1		1	1	273		7	7		
Batavia, N. Y.	297		16	258	9								283	1		1	1	284					

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Bath, N. Y.	428	1,067	20	393	1					1	1	415	88	1,179	3		1,267	1,682			197		
Bay Pines, Fla.	444	444	38	346	3			2		8	10	397	71	317		2	388	785					
Biloxi, Miss.	207	793	9	175	2							186	77	677			754	940					
Boise, Idaho	203	147	9	153	3	11		1	2		14	179	11	159			170	349	5	5	29		
Bronx, N. Y.	973		79	776	4				3	3	6	865		1			866						
Cheyenne, Wyo.	107		9	85				1			1	95					95						
Columbia, S. C.	618		29	470	3	2	1			14	15	519					519						
Dayton, Ohio	1,060	2,516	42	901	3			2			2	948	100	2,290	3		2,390	3,338					
Dearborn, Mich.	351		22	330	4					2	2	358					358		7	7			
Des Moines, Iowa	300		18	257			2				2	277					277						
Dwight, Ill.	225		6	212						1	1	219					219						
Excelsior Springs, Mo.	252		5	214				2			2	221					221						
Fargo, N. Dak.	181		12	136					5		5	153					153						
Fayetteville, Ark.	258		15	217	1		5			1	6	239	1			1	240						
Fort Harrison, Mont.	145		5	123	1	1						130					130						
Hines, Ill.	1,750		56	1,496	25		1			1	3	1,580		8		8	1,588						
Hot Springs, S. Dak.	281	551	8	157	1		1				1	167	38	413		451	618						
Huntington, W. Va.	317		8	253	2			1	1		2	265					265						
Indianapolis, Ind.	346		21	252	5	3						281					281						
Jefferson Barracks, Mo.	415		21	363	11							395		1	1	1	396						
Kecoughtan, Va.	496	2,333	8	471	1							480	164	1,616	3	1,780	2,260	40	40				
Lake City, Fla.	353		12	279	4		6	2			8	303					303						
Lincoln, Nebr.	250		7	216				1			1	224					224						
Los Angeles, Calif.	2,037	3,032	183	1,720	8		7			1	6	1,925	247	3,323	5	3,570	5,495	10	10	533			
Memphis, Tenn.	450		15	384	4					3	3	406					406						
Minneapolis, Minn.	644		61	528	3	4				3	3	599		3	3	3	602						
Mountain Home, Tenn.	556	1,723	20	465	7		1	1			2	494	83	1,746		1,829	2,323			106			
Muskogee, Okla.	423		30	338	6	1	2				2	377					377						
Newington, Conn.	305		17	225	2		1			1		246		1		1	247						
Pittsburgh, Pa.	505		40	474	3					1	1	519					519	14	14				
Portland, Oreg.	406		21	326	1					2	2	350		1		1	351						
Reno, Nev.	26		1	14								15					15						
Salt Lake City, Utah ¹	104		7	88			1			1	2	97					97						
San Francisco, Calif.	339		24	302	2							328		2	2	2	330						
Togus, Maine	294	1,155	10	255	5		1			1	3	273	98	908	3	1,001	1,274						
Tuscaloosa, Ala.	535		57	365	5		4				4	431					431						
Wadsworth, Kans.	734	1,375	23	579	10							612	50	1,599	6	1,649	2,261			238			
Washington, D. C.	327		12	272	37					1	1	322					322						
White River Junction, Vt.	188		12	110	1			2		1	3	126					126						
Wichita, Kans.	246		7	202								209					209						
Wood, Wis.	1,193	1,992	49	945	2		8		10	1	1	20	1,016	150	1,792	4	32	1,942	2,958				
Total, general medical and surgical (45)	20,701	17,128	1,140	17,023	200	15	62	6	20	24	50	162	18,540	1,173	16,040	27	46	17,213	35,753	50	83	1,133	
Grand total, Veterans' Administration facilities (84)	55,600	17,134	11,894	39,738	259	16	99	8	24	73	90	294	52,201	1,174	10,052	27	54	17,226	69,427	481	35	516	1,133

¹ Report not received; figures for Dec. 28, 1939, used.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. WOODRUM of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to make a brief statement which I promised to make on behalf of the Maryland delegation in the House. The Hospitalization Board has considered and favorably passed upon several new construction projects for Veterans' Administration facilities, one of which is a new hospital for Maryland. So far, however, the Bureau of the Budget has not submitted to the Congress estimates for the construction of this facility or for several facilities that have been authorized.

The Maryland delegation in the House have individually and collectively been most diligent in the interest of trying to secure action upon this facility, but, as will be shown in the hearings, no funds are included in this bill for new hospital facilities. There are funds for added construction at existing facilities, but it seems not in accordance with the program of the Budget so far to include funds for new facilities. I am told that the Maryland institution stands high on the priority list if and when funds are made available for the construction of new facilities.

Mr. KENNEDY of Maryland. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Maryland.

Mr. KENNEDY of Maryland. Is it not true that General Hines stated to the Maryland delegation, through the very able dean of the delegation, the gentleman from Maryland, the Honorable WILLIAM P. COLE, Jr., who is absent from the city at this time on official business, acting as chairman of a special committee of the House of Representatives holding hearings in California on oil legislation, that he recommended that the money be appropriated for the hospital; however, the President did not send it up to the Budget Bureau, and is it not further true that the Maryland delegation has been told that in all probability this money will be available in July, and, if available at that time, the Maryland hospital will be the No. 1 project?

Mr. WOODRUM of Virginia. I have been told by the gentleman from Maryland [Mr. COLE] that such assurance has been given him.

Mr. KENNEDY of Maryland. I see my colleague, the gentleman from Maryland, Congressman D'ALESSANDRO, on his feet seeking recognition to express his views on this matter.

I desire to pay tribute to him for the energetic manner in which he has demonstrated his friendship for the veterans. He has cooperated with other members of the delegation in this matter, expressing with me and others the great need for new hospital facilities in and around the city of Baltimore.

It is indeed a sorrowful sight to witness the many hundreds of our veterans, suffering from various ailments growing out of the World War, being required to wait for long periods of time before receiving the proper hospitalization.

I want to state, too, that the other members of the Maryland delegation have also cooperated in every possible way in order to bring this much-needed hospital to Maryland.

I feel sure that under the leadership of the gentleman from Maryland [Mr. COLE], no effort will be spared in order to bring this matter to a successful conclusion.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. And also I was told that Massachusetts would have a hospital this year for the Boston area, a general and surgical hospital, which we have been fighting for years to secure. Now we are told there is no money available. With the billions that have been spent by this administration, it is a tragedy that more hospitals have not been built.

Mr. WOODRUM of Virginia. What I wanted to make clear is that there are no funds in here for new facilities, only for added construction.

[Here the gavel fell.]

The Clerk read as follows:

SEC. 4. No part of any appropriation contained in this act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States, or of any agency the majority of the stock of which is owned by the Government of the United States, whose post of duty is in Continental United States unless such person is a citizen of the United States, or a person in the service of the United States on the date of the approval of this act who, being eligible for citizenship, has filed a declaration of intention to become a citizen or who owes allegiance to the United States.

Mr. LUCE. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. LUCE: On pages 78 and 79, at the end of the paragraph, strike out the period, insert a semicolon, and add: "Provided further, That none of the funds appropriated in this bill, except those for the civil service, shall be used or expended for so-called information service in the nature of argument or for detective work."

Mr. LUCE. Mr. Chairman, yesterday through parliamentary mischance it proved impossible to find out the judgment of the House in reference to the matter covered by my amendment. In order that such judgment may be obtained, I wish to present some considerations.

The purpose of this amendment is to put an end to the publicity action on the part of these independent offices for the advancement of their theories. One hundred and fifty-two thousand dollars is to be spent for this purpose if the bill is not changed—\$152,000 for argument in favor of Government projects. This one case illustrates what is going on.

In my hand is a pamphlet of 88 pages issued by the United States Housing Authority, a picture book, intended to secure the votes of electors in the various cities and towns in behalf of these projects. No man can question the propriety of giving the public complete and exact information about the law. My amendment is so worded it does not preclude information, but it does preclude improper and oftentimes inexact arguments.

To illustrate, let me read from this pamphlet and from another two extracts. The first says of the original law:

The United States Housing Authority exists solely to rehouse the lowest income third—

And the other quotes the words of the law itself—

families who are in the lowest income group.

The lowest income third are to be helped by this legislation. But throughout the book, however, we find that the text of this pamphlet and the other one I also hold in my hand does not jibe with the law. It says, for example:

The net construction cost of buildings for U. S. H. A. projects varies from a maximum in the Northeastern States of about \$3,500 per dwelling unit to a minimum in the South and Southwest of about \$2,300.

Here in their own pamphlet they tell you that the minimum is about \$2,300. About half the people of this country have incomes of less than \$1,000 a family. A \$2,300 house ought to rent for about 20 percent of its cost, or \$460. How under the sun can you house a family and make them pay \$460, or by any subsidy now in effect bring it down to what half the people of this country are now paying or can afford to pay?

The project as it is being carried out according to these figures is inuring to the benefit of the lower middle class. The law says it is to be for persons of the lowest incomes, and yet no person of the lowest income can afford to live in one of these structures. Therefore, I trust my amendment may receive your favorable consideration.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Massachusetts [Mr. LUCE].

Mr. Chairman, the objective of the gentleman if it is to curtail the excessive expenditures for these informational services is certainly commendable. I judge from the gentleman's remarks, however, that he is aiming the amendment directly at the United States Housing Authority.

I call his attention to the fact it was shown in the debate yesterday that the committee cut the amount which the United States Housing Authority might use for informational services from something over \$300,000 which they are using this year to \$152,000 which they may use next year. That is more than a 50-percent cut in the amount which they may use for that purpose. It may be that that is an excessive amount even for them to use. However, the effect of the gentleman's amendment is not confined to the United States Housing Authority. It would preclude any agency in this bill from spending any funds whatever for informational service except the Civil Service Commission.

Mr. LUCE. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Massachusetts.

Mr. LUCE. The amendment specifies that it shall not be used for argument.

Mr. WOODRUM of Virginia. Who is going to say whether it is an argument or whether it is not an argument? Who is going to determine a question of that sort? The gentleman says this amendment is aimed at any informational service that is an argument. I feel confident that my distinguished and learned friend wanted to state his position here and that this is more or less a pro forma amendment. I cannot believe he intends it as a serious amendment.

This amendment will reach such agencies as the Civil Aeronautics Authority. The Civil Aeronautics Authority is engaged in a big program which the Congress has approved and of which the country approves. In connection with giving necessary information to the public about their program, I do not know who is going to say that a particular pamphlet is argumentative or not argumentative. Maybe they are engaged in selling ideas to the public on the question of student-training programs or something of the kind. The Interstate Commerce Commission, the Federal Communications Commission, the Federal Trade Commission, and all such commissions of necessity have to maintain certain informational services with reference to the activities in which they engage. The amendment of the gentleman from Massachusetts, I believe, would certainly create a great deal of confusion and work a great deal of havoc in connection with that service. I hope very much that the amendment will not be adopted.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Tennessee.

Mr. GORE. Would it not also curtail the activities of the Federal Housing Administration?

Mr. WOODRUM of Virginia. Undoubtedly so.

[Here the gavel fell.]

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to call the attention of the Congress to one particular use to which the United States Housing Authority is putting some of the money that is being appropriated to it for propaganda purposes. In numerous places over the country referendums are being held by citizens to determine by vote whether they want these housing projects. I have had personal experience in several places where these referendums were held. The United States Housing Authority uses this money, which is raised from general taxes or borrowing, for propaganda to oppose the citizens themselves in their efforts to vote down the housing projects. I should like to know where there is any justice in a thing of this kind.

I submit, Mr. Chairman, it is a grave injustice to use the money of the taxpayers of the United States for a purpose of this kind. I would not want anything done to this bill, of course, to limit the proper use of funds for giving information in connection with legitimate services that are supposed to be rendered, but I am against the U. S. H. A. being given any funds for propaganda purposes.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I wonder if the gentleman has read that marvelous book gotten up by the Electric Home and Farm

Authority? If the gentleman has not read it, certainly he ought to read it. It is a very ridiculous showing-up of the wonderful things that have been done under the Electric Home and Farm Authority. The Housing Administration is nothing compared with that.

Mr. SMITH of Ohio. As far as that is concerned, it is exactly in line with what they are doing in Germany, what they are doing in Italy, and what they are doing in Russia. They have to sell their projects in that manner.

Mr. SACKS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from Pennsylvania.

Mr. SACKS. The gentleman would not want to say that he would like to stop any Government agency from putting its case before the public?

Mr. SMITH of Ohio. In answer to the question, let me say that if these projects cannot sell themselves on their merits without this propaganda they are not worth putting out. [Applause.]

Mr. SACKS. Does not the gentleman believe it is the duty of Government at least to educate its people with reference to progress, and so forth, in addition to putting forth an idea?

Mr. SMITH of Ohio. If this Government would begin to perform its first and primary duty, that of giving justice to the people, instead of sticking its nose into everything, it would do a whole lot better. [Applause.]

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I hesitate to inject myself into this discussion, but I cannot sit in my seat and listen to charges when I know from my own experience a contrary situation exists. I have a housing project in my district. I shall not discuss the merits or demerits of low-cost housing now because that question is not before the Committee. I am in favor of the low-cost-housing program. I know I have been threatened in the past because I supported such legislation. When the project was under consideration, rather extreme measures to try to have me oppose such legislation were used. There have been meetings in my district opposing projects, but I have seen no evidence of the Housing Authority spending any money. I believe it is perfectly all right for any association in opposition to a project to spend money for that purpose, and I have no objection to their spending the money that way. They certainly are powerful organizations, at least as far as my experience is concerned, in connection with the organizations up my way who are opposed to the low-cost-housing program. They have a perfect right to their views.

Mine has been a rather interesting experience, in view of the pressure that was attempted to be imposed on me, and interesting in that the evidences of expenditures came from the other angle and not from the United States Housing Authority. The gentleman who preceded me may have had a different experience. I am not in a position where I can take issue with the gentleman on that.

So far as I am personally concerned, my experience has been that strong agitation has come from those who are opposed to such projects. I have seen none from the United States Housing Authority.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman.

Mr. KELLER. By what method would the people of this country learn of the new things that the Government is compelled to do unless we did something of the character that is being discussed at the present moment?

Mr. McCORMACK. I do not want to go into that. I am just impersonally stating that I have had considerable experience in my own district and what it has been on the aspect raised by the gentleman who preceded me. I have encountered the efforts of those who opposed, and they had the right to oppose, and I have encountered their pressure in their determination to try to have me change my views on the question. I have seen no evidence of the United States Housing Authority spending a penny in connection with any of

the meetings that have been held in Boston in connection with any of the housing projects in any of the various sections of that city.

Mr. SACKS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. SACKS. I would like to observe that the same thing the gentleman states has happened in our city, where the pressure has come not from the Housing Authority but from those opposed to it.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. LUCE].

The amendment was rejected.

The Clerk read as follows:

Sec. 5. The total amount used for administrative promotions for officers and employees under any appropriation or other fund made available in this act shall not exceed the amount estimated to be available for such purpose on the basis of the Budget estimate for such appropriation or fund exclusive of new money in any such Budget estimate for such administrative promotions.

Mr. WOODRUM of Virginia. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. WOODRUM of Virginia: On page 79, line 3, after the word "used", insert the words "on an annual basis"; and in the same line, after the word "administrative", insert "within grade"; and on page 79, line 6, strike out the word "estimated" and insert in lieu thereof the following: "determined by the Bureau of the Budget."

The committee amendment was agreed to.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am very reluctant to impose myself on the House at this late hour, and I do so only for the purpose of bringing to your attention some figures that I intend to insert in the RECORD as of tomorrow.

Much has been said about the whole question of administrative promotions. The Budget has worked out a formula under which those over \$3,200 might be promoted and those under \$3,200 if they have not received promotions within a given period of time.

When one of the agencies was before one of our subcommittees recently, I said to the Director, "I wish you would insert in the record of the hearings"—which have not been published, by the way—"an estimate of the people who have been promoted, one, two, three, four, or five steps before July 1, 1939, for the purpose of defeating the so-called pay freeze in the reorganization bill." When the record finally came back it was most interesting. I shall not weary you with it now to indicate how many were promoted three steps and two steps, how many whose rating was only good, rather than very good or excellent, under the Classification Act, received as much as a three-step promotion in order to defeat the provisions of the reorganization bill effective July 1, 1939.

So if you are interested in this entire question of administrative promotions, if you want to see an example of some of the abuses that can be found in the departments, I suggest you examine these remarks.

One problem which has pressed itself upon the attention of the Committee on Appropriations ever since the membership of that committee assembled early in December to hold hearings on appropriation bills for the fiscal year 1941 has been the question of promotions for the personnel employed in the executive branch of the Government.

There is little doubt but what there are a considerable number of Federal employees who have worked at the same salary level for a great many years without receiving an administrative promotion or an increase in remuneration. This is probably especially true in respect to those who are employed in the lower salary grades. It would appear, therefore, that this matter requires attention by Congress.

In considering the whole matter there is good reason to believe that while injustices exist as a result of failure to provide funds for such promotions, there is also good reason to believe that flagrant abuses exist in respect to unwarranted

promotions. If such abuses could be eliminated, it is entirely possible that a substantial portion of the funds necessary for deserving promotions might be found within the limit of the appropriation which Congress ordinarily makes for the various agencies and departments of Government for salary and administrative expenses.

I shall deal with the matter of abuses in more detail when the appropriation bill for the Department of Agriculture comes to the floor of the House. For the moment, let me submit a table which I prepared from the Budget figures which were submitted to the Committee on Appropriations under the title "Basis for administrative promotion allowances in estimates for fiscal year 1941." This table indicates that the percentages listed for the various departments and agencies show the percentage by which available appropriations are or have been adequate to bring below-average salaries to the average of grades as of June 30, 1939. This table does not purport to show all agencies, but only those where 500 or more employees are employed:

Percentage of sufficiency	
Department or agency:	
Post Office Department.....	97.75
Executive Office (White House, Budget Bureau and others).....	97.19
Rural Electrification Administration.....	96.32
United States Maritime Commission.....	95.85
Federal Trade Commission.....	95.74
Securities and Exchange Commission.....	95.32
National Advisory Committee for Aeronautics.....	95.03
Federal Loan Agency.....	94.94
Federal Works Agency.....	94.70
Department of State.....	94.65
Department of Justice.....	94.35
National Labor Relations Board.....	93.92
Federal Power Commission.....	93.83
Department of Commerce.....	93.65
Treasury Department.....	93.53
Government as a whole (executive branch).....	93.45
War Department.....	93.40
Veterans' Administration.....	93.35
Department of Agriculture.....	93.14
Department of the Interior.....	93.13
Navy Department.....	92.91
Federal Communications Commission.....	92.34
Department of Labor.....	92.09
Railroad Retirement Board.....	91.92
General Accounting Office.....	91.72
Employees' Compensation Commission.....	91.68
Federal Security Agency.....	91.46
Civil Aeronautics Authority.....	91.31
Civil Service Commission.....	91.26

The Clerk concluded the reading of the bill.

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WARREN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 7922, the independent offices appropriation bill, 1941, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. WOODRUM of Virginia. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? [After a pause.] If not, the Chair will put them en grosse. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the amended bill.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

A motion to reconsider was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SECCOMBE, for an indefinite period, on account of illness in family.

To Mr. CROWTHER, for the remainder of the week, on account of official business.

EXTENSION OF REMARKS

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my remarks upon the bill just passed and to incorporate some statements from Government reports.

The SPEAKER. Is there objection?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include Public Document No. 177.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection?

There was no objection.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Speaker, Monday is District of Columbia Day. I think, however, there will be a short program. Therefore I ask unanimous consent that after the business of that committee is concluded it may be in order to call the Calendar for private omnibus claims bills.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. I understand this is not the same omnibus claims bill that we had the other day.

Mr. RAYBURN. No; this is not the alien omnibus bill. These are private claims.

Mr. MARTIN of Massachusetts. Could the gentleman tell us at this time what the program is for the rest of the week?

Mr. RAYBURN. Mr. Speaker, the Committee on Appropriations will on Tuesday report the Post Office-Treasury appropriation bill, and consideration of that bill will be begun on that day. On Wednesday it is the intention to begin the calling of the Calendar of Committees. Thursday and Friday will be devoted to the consideration of the Post Office-Treasury appropriation bill, and the members of that committee believe that will take 2 days. I might state further that if the Rules Committee on Monday reports a rule extending the life of the Dies committee, that rule will be taken up for consideration the first thing Tuesday.

Mr. MARTIN of Massachusetts. And that would come ahead of the appropriation bill?

Mr. RAYBURN. Yes; during the first hour on Tuesday.

The SPEAKER. Is there objection to the request of the gentleman from Texas with reference to the calling of the private omnibus claims bills on Monday?

There was no objection.

EXTENSION OF REMARKS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks made this afternoon on

the bill just under discussion by inserting therein a table from the Veterans' Administration showing the beneficiaries receiving hospital treatment and the beneficiaries receiving domiciliary care, and the nonveterans receiving hospitalization, and other information.

The SPEAKER. Is there objection?

There was no objection.

Mr. McLEAN. Mr. Speaker, I ask unanimous consent to extend my remarks and to include some brief excerpts from a dispatch in the New York Herald Tribune on November 25.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a one-page letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

By unanimous consent, Mr. SCHAFER of Wisconsin was granted permission to revise and extend his own remarks.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a brief article by Mr. R. Wallace Eugoh on the subject of free speech; and on another topic to revise and extend my remarks and include a statement by Mr. Eugene L. Orvis, railroad traffic attorney, on railroads and pipe lines.

The SPEAKER. Without objection, both requests are granted.

There was no objection.

Mr. D'ALESSANDRO. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an address by Governor O'Connor of Maryland given at Indianapolis, Ind.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that on Monday next, after the business of the day and other special orders heretofore entered, I may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

APPOINTMENTS TO UNITED STATES MILITARY AND NAVAL ACADEMIES

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point. I have a special order.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHANLEY. Mr. Speaker, the act of June 8, 1926, which this bill amends, increased the number of cadets at the United States Military Academy and number of midshipmen at the United States Naval Academy by 40 at each institution, and provided that appointments to fill the vacancies created by the act should be made by the President from among the sons of officers, soldiers, sailors, and marines, employed in the active service by the War Department or Navy Department who were killed in action or have died, or may hereafter die, of wounds or injuries received, or disease contracted, or pre-existing injury or disease aggravated, in line of duty during the World War.

The appointments under this act correspond to those made by the President from among enlisted men of the Army, Navy, and National Guard. They in no way affect congressional appointments or those made upon recommendations of Senators and Representatives.

The youngest of the possible beneficiaries of the act of June 8, 1926, was born in December 1921 and has now passed his eighteenth birthday. After 1941 he will be too old to enter the Naval Academy and after 1943 too old to enter the Military Academy. This act, unless amended, will thus expire by its own limitation in 1943.

The purpose of the act of June 8, 1926, was to provide educational and professional opportunities for a limited number of sons of those who sacrificed their lives for the country in the World War. The increase in the authorized number of cadets and midshipmen was incidental to this primary purpose.

The limiting date, July 2, 1921, specified in the act is more or less arbitrary. The son of a veteran who has died since that date of a war-service-connected disability is just as much entitled to assistance as one of a veteran who died prior to that date and after his discharge from the military or naval service. This was realized at the time the act was passed, but it was felt that some limit should be placed upon the number made eligible for these comparatively few appointments. This was accomplished by confining the appointments to sons of those who were killed or died during the legal period of the World War.

The number of eligibles, originally more than 6,000, is now 1,536 for appointment to the Military Academy and 242 to the Naval Academy. Next year—1941—there will be only 594 eligible for appointment to the Military Academy and only 101 to the Naval Academy. In 1942 all will be too old to enter the Naval Academy, while the number still eligible for the Military Academy will be only 201.

This bill extends the provisions of the act of June 8, 1926, to include the sons of those who have died since July 2, 1921, or may hereafter die, of a World War service-connected disability, or, to use the language of the bill, "of wounds or injuries received, or disease contracted, or preexisting disease or injury aggravated, in line of duty during the world War."

The records of the Veterans' Administration show that there were on June 30, 1939, 15,760 sons of veterans who have died since the World War of service-connected disabilities. These boys range in age from infancy to 17, inclusive. For compensation purposes, they are divided by the Veterans' Administration into two groups, one consisting of 2,795 under 10 years of age, and the other of 12,965 from 10 to 17, inclusive. The Veterans' Administration has compiled no statistics for children after they have reached and passed their eighteenth birthday, but it is fair to assume that the number is comparatively small. The number of boys rendered eligible under this bill who will desire to take the examination in any one year for appointment at the Military or Naval Academy is, of course, problematic, but judging from the experience with the examinations under the original act it is believed that it will not be so great as to render the administration of the act impracticable or burdensome.

No one has given me greater assistance in this work than Gen. P. C. Harris, whose unselfish services to the American Legion are known wherever Legionnaires congregate. It was his interest that promoted a study of the situation in foreign countries. In 1923, for example, he talked with the commandant of the Royal Military Academy in Rome and learned how much the Italian Government was doing for the sons and daughters of the disabled. From that came his first formal steps to prepare for the act of June 8, 1926, which he wrote, when for the first time the sons of those killed in action before July 21, 1921, would be eligible for appointment to West Point or Annapolis.

THE SPEAKER. Under special order of the House heretofore made, the gentleman from Michigan [Mr. Hook] is recognized for 30 minutes.

THE FARMERS' PART IN AMERICAN GOVERNMENT

Mr. HOOK. Mr. Speaker, the farmers of this country can make or break the Democratic Party; they can make or break the Republican Party. That fact has been demonstrated. In 18 States, the farm population of which is more than 33 percent of the total, farmers now hold the balance of political power, and the electoral vote of these States can decide the next national election. This can be done without the votes of such important industrial States as New York, Pennsylvania, and Ohio.

No wonder, then, that the distinguished leader of the minority in this House is in such a frenzy of fear that the farm vote has been lost to the Republican Party; no wonder he is attempting through his committee of 46 Republican Congressmen to evolve some plan that again will bamboozle and befog the farmer and win him back to the support of the candidate of the G. O. P., whoever he may be. This committee is a purely political agency of the G. O. P. and not a committee of

Congress. It replaces the G. O. P. "brain trust" of 1936 that died with Senator Dickinson's famous "dog food" speech.

My colleagues, I am "talking turkey" to you, and I am "talking turkey" to the farmers of America. They have it in their power to say whether we are to continue the New Deal with its Nation-wide farm program under the A. A. A., a program that has steadily and surely pulled agriculture out of the morass of low prices and low income, or whether we are to try some newfangled plan to be offered by that party which for more than half a century, under the guise of a protective tariff, has promised agricultural equality with other industry and has never fulfilled that promise.

Mr. Speaker, the Republican Party has never kept faith with the farmer, and it never will. The Republican Party cannot keep faith with the farmer at the same time that it takes orders from Wall Street, the Liberty League, and big business, whose chief interest in the farmer is as a source of tribute. For 50 years it was so little concerned with his welfare that it did not even mention him in its platforms, secure in the belief that a safe majority of farmers were traditionally Republican and would stay put, in spite of political neglect and exploitation of their interests. It was not until the aftermath of the World War had brought distress and disaster to agriculture that the Republican Party discovered there was a farm problem. In 1920, however, fearful of the loss of the farm vote, the G. O. P. National Convention said in its platform: "The Farmer is the backbone of the Nation."

But let us for a moment look back upon conditions that followed the World War. European nations were broke. They needed money to buy materials and supplies, and they turned to the United States. We bought back many of our securities that we had sold them when we needed money, and in addition loaned them huge sums of money. We had changed from a debtor to a creditor nation.

In 1921, European buying power, due to the depression, was low and exports of our food products declined. But by 1925 Europe had partially recovered, and with increased production there was increased competition in the international markets for farm products. By 1932 Europe had increased its acreage of important crops above the prewar level by nearly 100,000,000 acres, or 16 percent. Crop production outside the United States was about 40 percent above prewar level. This increase in foreign competition, and a trend toward autarchy and self-sufficiency abroad, brought about a persistent decline in our own exports of food products from 1921 on, long before the 1929 collapse. The decline in foreign demand for American exports was made greatly worse by our own stupid and disastrous tariff policies. The Republican Party, stubbornly adhering to its high protective tariff policy, raised our tariff walls in 1922 by the enactment of the Fordney-McCumber bill, and finally pushed them to an all-time high in 1930 with the passage of the iniquitous Smoot-Hawley bill. Meantime, we were in effect subsidizing part of our export market. Between 1925 and 1929, American loans abroad averaged more than a billion dollars a year. In all, about \$6,000,000,000 were loaned to European countries during that period. So far as our foreign trade was concerned, these loans were one of the greatest subsidies of all time, for most of them were never repaid. We gave nearly \$6,000,000,000 to our European customers and they gave it right back in exchange for some of our agricultural products.

We were thus able to keep a part of our foreign market despite a Republican policy which fundamentally tended to discourage international trade. Of course, such a situation could not continue. Speculation cut off the flow of funds abroad and in the years 1926-29 surpluses of our great export crops began piling up.

All this time the Republican Party, which in 1920 had declared the farmer to be "the backbone of the Nation" kept on promising, but in spite of the efforts of some of its more farseeing members it did nothing and offered nothing practical for the relief of agriculture, firm in its belief that it could still fool the farmer. It came back in 1924 with more

promises, and a frank confession that "we recognize that agricultural activities are still struggling with adverse conditions that have brought deep distress," and then it continued, "we pledge the party to take whatever steps are necessary to bring back a balanced condition between agriculture, industry, and labor."

Mr. Speaker, "by their fruits ye shall know them." A Republican Congress, after long delay and almost endless discussion, finally passed the McNary-Haugen bill, authored by a distinguished member of the Republican Party at the other end of the Capitol, who now says, "After considerable thought, I have arrived at the conclusion that the Republican Party in 1940 can be successful if it demonstrates to the farm vote and those dependent on the farm vote that the party is interested, as formerly, in their welfare." Mark you, my friends, how "formerly" interested in the farmer's welfare the Republican Party was. It was so much interested in the farmer's welfare "formerly" that after a Republican Congress had passed the McNary-Haugen bill, a Republican President promptly vetoed it, and a Republican Congress could not muster enough votes to pass it over his veto. Again in 1928 a Republican Congress reenacted the McNary-Haugen bill, and again it was vetoed by a Republican President. These are the "steps" which the Republican Party in national convention promised to take in order to "bring back a balanced condition between agriculture, industry, and labor."

Mr. CASE of South Dakota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore (Mr. ZIMMERMAN). Does the gentleman yield for a parliamentary inquiry?

Mr. HOOK. I do not yield for that purpose.

Another national election was at hand in 1928 and the Republican Party, still smug in its belief it could fool the farmer, made more promises, reiterating its policy of a protective tariff as vital to American agriculture, and continuing:

The agricultural problem is national in scope, and, as such, is recognized by the Republican Party, which pledges its strength and its energy to a solution of the same.

And so another 4 years of Republican control. A Republican Congress enacted the bill creating the Federal Farm Board. We all know what happened. Purchases of surplus commodities without control of production. The more the Farm Board bought, the greater the production—the more farm prices continued to fall, the greater the surpluses. And, finally, a loss to the taxpayers of nearly half a billion dollars. But the Republican mountain labored again and brought forth, not a mouse, but the Smoot-Hawley tariff bill, which has been gnawing at the very vitals of our foreign trade ever since.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. HOOK. I cannot yield.

Mr. Speaker, I have said that the Republican Party never has kept faith with the farmers and never will.

Mr. CASE of South Dakota. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state the point of order.

Mr. CASE of South Dakota. The gentleman is making a very interesting speech. He invited the Members to be here and I think we should have a full House to hear him. I make the point of order that there is no quorum present.

Mr. RAYBURN. Oh, the gentleman should not set that kind of a precedent—taking a Member off the floor in that way.

Mr. CASE of South Dakota. Mr. Speaker, I withdraw the point of order so that the half dozen present may continue to hear the gentleman.

Mr. HOOK. The American farmers will read this in the RECORD and the Republican Party will hear of it at the next election.

Up to date they have never shown by their votes in Congress that they have any real consideration for him. When

the Agricultural Adjustment Act was passed in 1933, 90 percent of the Democrats voted for it and 63 percent of the Republicans voted against it. After the A. A. A. was invalidated by a decision of the Supreme Court and soil conservation legislation was up for consideration, 89 percent of the Democrats of House and Senate voted for it, and 78 percent of the Republicans voted against it. And in the case of the present Agricultural Adjustment Act, 81 percent of the Democrats voted for it, and 85 percent of the Republicans voted against it. In the last regular session of Congress almost the entire Republican membership of the House voted against appropriating money to give the farmers parity payments and also voted against the appropriation to provide funds so that loans could be made on their surplus crops.

Mr. H. CARL ANDERSEN. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state the point of order.

Mr. H. CARL ANDERSEN. I just want to call the attention of the gentleman from Michigan to the fact that that last statement is out of order.

The SPEAKER pro tempore. That is not a point of order.

Mr. HOOK. Oh, yes; the Republican Party has been "formerly" interested in the farmers' welfare in the same way it is now interested in him—by making promises and befogging issues in an election year. Mr. Speaker, to paraphrase a great American's homely saying, "The Republicans can fool all the farmers part of the time, and part of the farmers all the time; but they can't fool all the farmers all the time."

Before leaving the Republican Party and its promises, however, I want to pay my respects to some of its members. Not all of them are wholly blinded by partisan prejudice. The distinguished gentleman from Kansas, chairman of the minority leader's committee, has supported by his votes and his speeches on this floor practically all of the farm legislation that has been recommended by the House Committee on Agriculture, and so has the gentleman from Iowa [Mr. GILCHRIST]. A few other Republicans have voted their convictions against the wishes of their party leaders.

The distinguished minority leader from Massachusetts, however, declares that "the administration's farm policy is now a demonstrated failure," and "it is imperative we work out an affirmative and constructive approach to the rescue of agriculture. It is an outstanding problem, and upon our efforts in behalf of the farmer will depend in a large measure the future prosperity of our country." Mark you, "our efforts."

When the Democratic Party took control of the National Government in 1933, after 12 years of Republican rule, and after all the promises Republicans had made—the same kind of promises they are making now—agriculture was worse off than it had ever been in its history. Farm prices had fallen to the lowest figures ever known. Although farmers represented 25 percent of the total population, the farmers' share of the national income was only 7 percent.

Someone has said, "Beware of Greeks bearing gifts." I say to the farmers of this country, "Beware of Republicans making promises." In the light of their record, in the light of their broken promises, how, in the name of common sense, can the farmers ever again trust the Republican Party?

Mr. Speaker, I have said that when this Democratic administration came into control of the National Government it found left on its doorstep by the Republican Party a prostrate agriculture. The problem of rescuing agriculture was a stupendous one. But under the inspiring leadership of Farmer Franklin D. Roosevelt, and the indefatigable efforts of the greatest Secretary of Agriculture this country has ever had, supported by the great farm organizations and tireless Democratic leaders in House and Senate, we have gone a long way toward placing agriculture on an equality with industry. We have not yet solved the whole problem, but we are certainly on our way. Are we now to turn back and permit the Republican Party to start all over again with something new and untried? I do not believe it.

I have faith that a great and constantly increasing majority of the farmers of America believe in the Democratic Party. That faith is founded on the greatly increased participation of the farmers in the A. A. A. farm program. It is said that "the proof of the pudding is in the eating," and if more than 85 percent of the farmers like it, how can there be any question that the program is working? Mind you, it is the farmers' program. It is, as Secretary Wallace has said, "Economic democracy in action."

Now let us see how this has been brought about. Let us start from the beginning.

My colleague from Massachusetts appointed a political committee of 46 House Republicans to make what he called a "study of the agricultural problem." In a statement quoted in the press announcing the appointment of this political committee, the Republican minority leader referred to the "depressed and unhealthy state of American agriculture," and to "its present unhealthy plight." He termed the administration's farm policy a "demonstrated failure" and sent the members of his committee out, not for the purpose of getting facts, but to make political capital out of the agricultural situation by attempting to mislead and fool the farmers and the public in regard to the remarkable betterment of the conditions of the people living on the land, and of the Nation as a whole since President Franklin D. Roosevelt took the helm in 1933.

The Roosevelt administration from the first has insisted that the farm problem is an economic one. It has kept it from being made a political football. The fact that 85 percent, or more than 6,000,000 farmers in America, are cooperating in the program is sufficient evidence, it seems to me, that the thinking people living on our farms consider the program a good one. At the very time my colleague from Massachusetts referred without qualification to the administration's farm policy as a "demonstrated failure," 90 percent of the commercial farmers of his own State were taking part in the program, cooperating with the administration in adjusting their rotations and improving their income and their soils.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield? Does not the gentleman want to be fair?

Mr. HOOK. Yes.

Mr. MARTIN of Massachusetts. I thought he did. The gentleman mentioned my own district, my own State. I think the gentleman wants to be fair.

Mr. HOOK. I yield.

Mr. MARTIN of Massachusetts. The gentleman knows the farmers of Massachusetts have not shared 90 percent of the farm program.

Mr. HOOK. Ninety percent of the commercial farmers of Massachusetts have.

Mr. MARTIN of Massachusetts. What is a commercial farmer?

Mr. HOOK. Any farmer who raises a crop and sells it for cash.

Mr. MARTIN of Massachusetts. What kind of crop?

Mr. HOOK. Any kind of crop, and 90 percent of them have been benefited.

Mr. MARTIN of Massachusetts. How many farmers sell their crops for cash?

Mr. HOOK. They all do when they can get it. They are getting cash for their crops now, but they did not sell their crops for cash under the Republican program.

Mr. MARTIN of Massachusetts. I am afraid the gentleman is mistaken.

Mr. HOOK. Mr. Speaker, at the very time my distinguished colleague from Massachusetts termed the farm policy a "demonstrated failure" thousands of farmers in his State and in adjoining States, where the great hurricane of 1938 caused unprecedented loss of lives and property, were being rehabilitated and placed in position to continue with profitable farm operations through the very agencies decried by the Congressman from Massachusetts. Sufferers of drought, flood, and tornado have been aided and put on their feet again through

adjustments in the Federal farm program, and the special enactments of this Congress.

At the time when the President called Congress into extraordinary session to adjust our neutrality laws in order to meet the established fact of war in Europe my colleague from the Bay State devoted his own primary efforts toward the launching of this false political attack on the Nation's great foundational farm program basically essential in our program of national preparedness.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield for a brief question?

Mr. HOOK. I cannot yield.

"Let us look at the record." The seriousness of the needs of agriculture and the effectiveness of the national farm program and other recovery measures are illustrated by the farm income record for the past 8 years. In 1932 the gross farm income fell to the unprecedented low of \$5,000,000,000. By 1937 the gross farm income had risen to \$10,000,000,000. It was more than nine billion in 1938 and approached \$10,000,000,000 in 1939. The farmers look hopefully toward even greater income in 1940. The benefits of this increased farmer buying power were shared by city workers as well. Mail-order sales in 1938 increased to \$463,000,000 from the low point of \$231,000,000 in 1932. All records in mail-order sales were broken in 1939, and Christmas sales and the volume of mail in this Nation were reported to have been the largest on record during the last Christmas season. As compared to 1932, farm machinery sales increased more than 350 percent in 1938. Automobile sales were 100 percent higher in farm States and fertilizer sales 88 percent higher. In 1932 farmers were being forced from the land by foreclosures as never before in our history. The number of forced farm sales resulting from foreclosures and other causes declined 68 percent from March 1933 to March 1939, and farm bankruptcies declined 70 percent in the same period. With the farmer's business now on a sound foundation, the total value of all farm land and buildings increased \$5,000,000,000 from March 1933, when President Franklin D. Roosevelt took over, to March 1939. As summarized in the report of the Secretary of Agriculture for 1939:

Agriculture has provided an abundance of food supplies at low prices. Many persons unable to buy farm products have received high-quality foodstuffs in large volume through relief agencies. Persons with incomes have been able to satisfy their food wants with small expenditures and to devote a larger share of their incomes than usual to the purchase of other goods.

In referring to the depression that followed 1929, Secretary Wallace states in his 1939 report, that—

Farm-commodity prices were abysmally low; farm surpluses were of towering proportions. There was widespread farm distress. A comprehensive program of crop adjustment and farm relief was necessary. In the field of finance it was necessary not only to strengthen the existing farm-credit facilities but to provide additional facilities for farm rehabilitation and other special needs. There was need also for lower interest rates, for debt adjustments, for the extension of payment dates, and for stabilization loans on stored commodities. These operations required the Government to assume financial risks beyond those that private institutions could be expected to carry.

This great responsibility has been met by the Farm Credit Administration and the farmers of this Nation have been provided with long-term amortized loans for the protection and purchase of their farms, and with short-term production loans for livestock and crop management, at the lowest rates of interest ever offered.

This "demonstrated failure," as the sponsor of this G. O. P. farm committee terms the administration's farm policy, includes also the Rural Electrification program, which during the past 4 years has been the major agency in bringing light to more than 1,500,000 farm families, an increase from 10 percent of American farms that had central-station electricity in 1935, to more than 22 percent of the total by 1939.

Through the Farm Security Administration, more than 600,000 needy farm families have received help in planning and financing their farm enterprises, assistance never before available.

As a member of the Agricultural Committee of this Congress, I have been gratified by the constructive growth of our land-grant colleges, experiment stations, and the extension service under the stimulus of recovery and the Federal farm program. Research and education in agriculture, with few exceptions, are functioning as never before in this Nation, in their job of serving rural people.

The administration's farm policy, which the Republican minority leader terms a "demonstrated failure" has achieved the greatest awakening of public interest in the conservation of our soil, trees, water, and human resources depending on these basic natural resources, that has occurred in the history of this or any other civilized nation. The 6,000,000 farmers cooperating in the agricultural-conservation programs of the Agricultural Adjustment Administration are best fitted to judge the soundness of the present program that encourages the balancing and diversification of crop rotations, the conservation of the soil, the use of lime and fertilizer, the planting of trees, and the construction of terraces, and many other things in which they are cooperating with the Federal program in improving the land upon which they depend for the proper maintenance of their families, and upon which the future prosperity of this Nation depends.

Mr. H. CARL ANDERSEN. Mr. Speaker, will not the gentleman have the courtesy to yield at that point?

Mr. HOOK. Since the gentleman puts it that way, I cannot decline.

Mr. H. CARL ANDERSEN. Does the gentleman from Michigan realize that the statistics of the Department of Agriculture prove—and he may obtain this information from Bulletin 200, issued by the Statistical Division of the Department of Agriculture; and he may likewise obtain this same information from the Wisconsin Department of Dairying—does the gentleman realize that for the 6-year period prior to the present administration, from 1926 to 1932, the average price of butter that we received as farmers in Minnesota was 35 cents? Does the gentleman realize that during the first 6 years of the present administration we have received an average of 26 cents; in other words, one-third less than we received under the Republican administration that the gentleman is, with very poor taste, endeavoring to denounce at this time? [Applause.]

Mr. HOOK. Certainly, with a \$6,000,000,000 subsidy. I do not know from what section of the State the gentleman comes, but I do know that the farmers of my district receive practically double their former price for cream.

Mr. H. CARL ANDERSEN. We have the figures to quote on that, too, if the gentleman wishes them in the Record.

Mr. HOOK. I cannot yield further.

Mr. Speaker, I am really sorry for some of my Republican friends who, under the spur of the distinguished minority leader, the gentleman from Massachusetts, went forth to search for the impossible—an issue that would persuade the farmers that the Republican Party is their only friend, their champion, their protector. What must have been their feeling when farmer after farmer in those traditionally Republican States of Iowa and Kansas got up in meeting and declared that the Republicans had better not try to mess up the triple A farm program. Let me quote just a few. In Des Moines, Earl Elijah, a livestock-association official, said:

It would be a mistake for any Republican to come into Iowa and try to upset all the things Henry Wallace has been trying to do.

Mr. Elijah confessed that he had voted for Hoover twice, but he has learned much since then.

Oscar Heline, of Marcus, president of the Farmers' Grain Dealers' Association, said:

Don't scuttle the present farm program.

William F. Yungclas, of Webster:

It would be folly for any thinking farmer to want to drop the present program.

A. C. Lewis, of Macedonia:

We should not scrap anything that's good, no matter what party started it.

Lyle Embrie, of Red Oak:

Unless Republicans adopt the A. A. A. program, they will be sinking the party ship just as effectively as the Nazis sunk the *Graf Spee*.

And in Kansas, the home of my very dear and able friend, the distinguished chairman of this Republican Committee of 46, L. A. Dubbs, of Ness County, a farmer-member of the Kansas Legislature, startled the members of that committee by saying:

I farm a little farm in Ness County that has been in the family for 60 years. We have seen them come and go. In the nineties nearly everyone left. My folks stayed because they were too poor to get away. The grasshoppers left and the rains came, and other folks came in. A lot of them left again in 1910. The rains came again and they came back. Way back in the seventies there had been another migration back to Indiana. But this time the folks, most of them, stayed. The A. A. A. made it possible. Without the A. A. A. few of us would be here. The last 6 years have been the worst in 60. The reasons why we folks in the high plains believe in the A. A. A. is because it gives us promise of a permanent agriculture. We don't have to pack up and leave every time there is a succession of drought years.

These quotations, my friends, are from the Republican newspaper, *The Topeka Capital*, owned and edited by a distinguished Senator from the Sunflower State.

Listen to what a big Republican wheat farmer has to say:

The Government farm policy has enabled farmers to make their first real profits in more than 10 years.

This western wheat grower further states:

I would have been forced to sell my wheat at 32 cents a bushel at harvest time had it not been possible for me to obtain a Government loan at 49 cents.

We get the benefit of the increased price that almost always comes along after harvest time, instead of speculators who formerly made more money out of the farmers' crops than the farmers themselves.

Such a policy means the difference between a fair profit and near bankruptcy. The Federal program is a safeguard for consumers as well as growers, because the Government will release its wheat holdings during years of short crops, at a fair price, rather than at gouging figures, as would be done by speculators.

And yet the distinguished leader of the minority says the farm program is "a demonstrated failure." In the light of the testimony given before this Republican Committee of 46, I wonder if my good friend from Kansas, the chairman of this committee, agrees with the gentleman from Massachusetts, or would he not be more inclined to believe that the farm program, as passed by this Congress, is the most effective soil-conservation and market-adjustment program ever placed in the hands of the farmers.

Mr. MARTIN of Massachusetts. Mr. Speaker, will my genial and able friend yield at that point?

Mr. HOOK. I yield.

Mr. MARTIN of Massachusetts. That in itself indicates the fairness of the Republican effort to obtain knowledge. We went out in a nonpartisan way to secure evidence from the farmers as to what they thought of the situation. The gentleman can, if he wants to, I am sure, stand up here and for an hour or more read quotations from people who were opposed to the program. Am I not right?

Mr. HOOK. I certainly could not. I do not know of any.

Mr. MARTIN of Massachusetts. If they were given to the gentleman he could.

Mr. HOOK. Certainly; but that is the duty of the energetic minority leader. I presume that from the quotations of these great Republican leaders he will be firmly convinced of the success of this and be fair and accept the report that the committee will give to him.

Mr. MARTIN of Massachusetts. The gentleman in opening his argument objected to our going to the country. What is wrong about actual knowledge from the country about any program?

Mr. HOOK. Let me ask the gentleman in reply if he has been convinced from the report of his committee, a committee that went to the country, that the triple A is a success.

Mr. MARTIN of Massachusetts. No; I could not say that. The committee has not submitted a report for it has not finished its work.

I feel the gentleman is entirely out of order at this early date to criticize a committee which is making a genuine effort to get information to solve, what the gentleman from Michigan I am sure realizes, is one of the most important problems in this country—the revitalization of agriculture. The gentleman does not for one minute contend agriculture does not need any consideration, does he?

Mr. HOOK. I certainly do not. I voted for parity payments. Where did the gentleman stand on that?

Mr. MARTIN of Massachusetts. That is quite all right, but is the gentleman satisfied to stand with the situation as it is?

Mr. HOOK. I am satisfied that the farmer is in better condition under this farm program than any program that has ever been presented to this Congress, and it is a permanent program which, if followed, will bring the farmer out of the ditch that he was in when this administration tackled his problem.

It is a permanent program and if put into effect will bring the farmers out of the ditch all over the country.

Mr. MARTIN of Massachusetts. That does not answer the question. I am getting back to the committee. The gentleman is not opposed to this committee going to the farmers and getting information in the hope it may do something to help agriculture?

Mr. HOOK. It would not do me any good anyhow. I did not have anything to do with the appointing of the members and I would not have any chance to oppose them.

Mr. MARTIN of Massachusetts. But the gentleman does not find any fault with seeking information, does he?

Mr. HOOK. I do not find fault with the committee. I find fault with the fact the distinguished minority leader, before he had the facts, said that the farm program was a demonstrated failure. Why did he say it was a demonstrated failure before he had the facts?

Mr. MARTIN of Massachusetts. The farmers of the country believe that.

Mr. HOOK. Oh, no! With 85 percent of the farmers of this Nation cooperating, does the gentleman think they believe in it?

Mr. MARTIN of Massachusetts. The statistics in reference to farm income and farm expenses will demonstrate that what I say is true.

Mr. HOOK. The farm income has doubled in the last few years.

Mr. MARTIN of Massachusetts. The statistics do not show that.

Mr. HOOK. Mr. Speaker, I am particularly interested in the fact that the consumers of this Nation are protected against the speculators and the high prices that are the result of speculation. The consumers of this Nation, through this program, can be assured of a stable low price for consumer goods. Generally throughout the Nation this program has been accepted. In Michigan for several years the farm leaders and those interested in the political aspect tried to break down the program, but finally had to accept it, and are now using it for their own political advantage by keeping the facts from the farmers and leading them to believe that they, as Republican leaders, are responsible for the fine agricultural program that now exists because of the Federal A. A. A. I trust the farmers will realize who their friends are and act accordingly. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona [Mr. MURDOCK]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, is the gentleman going to comment on what has happened here right now?

Mr. MURDOCK of Arizona. That is what I intended to do.

Mr. MARTIN of Massachusetts. Mr. Speaker, I know the gentleman is a very fair Member of the House and I do not

like to anticipate what he might say, but I do not think it is quite fair, if we have a colloquy in the House, to have a Member extend his remarks at this point. I am willing that the gentleman get some time and state it right on the floor at the present moment.

Mr. MURDOCK of Arizona. Mr. Speaker, I see the justice of the proposal stated by the minority leader and I withdraw my request.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a speech of the Honorable Louis Johnson, Assistant Secretary of War, on the one hundred and twenty-fifth anniversary of the Battle of New Orleans, delivered at the city of New Orleans, La.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana [Mr. Brooks]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that on Monday next, after the disposition of business on the Speaker's desk, and at the conclusion of any previous orders heretofore made, I may be permitted to address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana [Mr. Brooks]?

There was no objection.

EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a number of tables of statistics.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington [Mr. SMITH]?

There was no objection.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address made by me before the Columbia Historical Society of Washington, D. C.

The SPEAKER pro tempore. Is there objection to the request of the Delegate from Hawaii?

There was no objection.

Mr. MURDOCK of Arizona asked and was given permission to extend his own remarks in the RECORD.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 8 minutes p. m.) the House, pursuant to the order heretofore made, adjourned until Monday, January 22, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Friday, January 19, 1940, 10:30 a. m.:

House Joint Resolution 424, to authorize the United States Maritime Commission to acquire certain lands in St. Petersburg, Fla.

Tuesday, January 23, 1940:

H. R. 200, to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316).

Tuesday, January 30, 1940:

The following hearing was at first scheduled for Friday, January 5, but was later postponed until Thursday, January 25, 1940. Now it has been postponed again, this time being Tuesday, January 30, 1940, at 10 a. m.

H. R. 7357, to amend section 4472 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 465) to provide for the safe carriage of explosives or other dangerous or semidangerous articles or substances on board vessels; to make more effective the provisions of the International Convention for Safety of Life at Sea, 1929, relating to the carriage of dangerous goods; and for other purposes.

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

Hearings will be continued Wednesday, February 7, 1940, at 10 a. m., on H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings in the committee room, 247 House Office Building, at 10 a. m., on the following dates on the matters named:

SUBMARINE OR AIRCRAFT DISASTERS

Friday, January 19, 1940:

H. R. 6532. A bill to provide pensions at wartime rates for disability or death incurred in line of duty as a direct result of submarine or aircraft disasters.

INDIAN WARS

Monday, January 22, and Tuesday, January 23, 1940:

H. R. 1006. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 3996. A bill to pension men who were engaged in or connected with the military service of the United States during the period of Indian wars and disturbances.

H. R. 4924. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 4991. A bill to pension men who were enlisted in the military service of the United States during the period of Indian wars and disturbances, and the widows of such men, and for other purposes.

H. R. 4999. A bill to increase the rates of pension in the case of soldiers who served 90 days or more in the Indian wars during the period from 1817 to 1898, and to grant pensions to widows of soldiers who so served in such wars.

DEPENDENTS OF REGULAR ESTABLISHMENT VETERANS

Thursday, January 25, and Friday, January 26, 1940:

H. R. 7191. A bill to make more equitable provision for pensions for the dependents of deceased veterans of the Army, Navy, Marine Corps, and the Coast Guard.

H. R. 7522. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to dependents of veterans of the World War whose death is due to service.

H. R. 7652. A bill to grant pensions and increase of pensions to widows and dependents of certain deceased members or former members of the military or naval service.

H. R. 7734. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to the dependents of veterans of the World War whose death is due to service.

MEDAL OF HONOR PENSIONS

Thursday, February 1, 1940:

H. R. 3385. A bill to liberalize the provisions of the Medal of Honor Roll Act of April 27, 1916.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a hearing before a subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, January 23, 1940, on H. R. 6652, to aid consumers by

setting up standards of quality based on performance as a guide in the purchase of consumer goods.

NOTE.—This hearing was originally scheduled for Tuesday, January 16, 1940.

Hearings will begin Monday, February 5, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

COMMITTEE ON ROADS

The Committee on Roads will begin public hearings in the Roads Committee Room, 1011 New House Office Building, at 10 a. m., Monday, January 22, 1940, on H. R. 7891, a bill to assist the States in the improvement of highways. Commissioner Thomas H. MacDonald, of the Public Roads Administration, will be heard first.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1279. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to the appropriation for the disposal of surplus commodities, Department of Agriculture, fiscal year 1940 (H. Doc. No. 569); to the Committee on Appropriations and ordered to be printed.

1280. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation of the Department of Agriculture, to permit the use of funds provided for the fiscal year 1940 "Parity payments" to make payments under the Price Adjustment Act of 1938 to producers who participate in the agricultural conservation program (H. Doc. No. 570); to the Committee on Agriculture and ordered to be printed.

1281. A letter from the Attorney General, transmitting the draft of a proposed bill to prohibit the transfer of obscene literature in interstate or foreign commerce; to the Committee on the Judiciary.

1282. A letter from the Secretary of War, transmitting the draft of a proposed bill to authorize certain officers of the Army of the United States to accept such medals, orders, and decorations as have been tendered them by foreign governments; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. BURCH: Committee of conference. H. R. 2001. A bill for the equalization of letter carriers (Rept. No. 1520). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 8015. A bill granting pensions and increase of pensions to certain widows, former widows, and dependent children of veterans of the Civil War; without amendment (Rept. No. 1521). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON of Florida:

H. R. 8016. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplemental thereto; to the Committee on the Judiciary.

By Mr. KING:

H. R. 8017. A bill to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended; to the Committee on the Territories.

By Mr. RANDOLPH:

H. R. 8018. A bill to appropriate \$7,500,000 for the acquisition of forest lands during the fiscal year ending June 30, 1941; to the Committee on Appropriations.

By Mr. RODGERS of Pennsylvania:

H. R. 8019. A bill providing for an examination and survey of the area at and near North East, Pa., with a view to the construction of a harbor of refuge; to the Committee on Rivers and Harbors.

By Mr. SHANLEY:

H. R. 8020. A bill authorizing appointments to the United States Military Academy and United States Naval Academy of sons of soldiers, sailors, and marines who were killed in action or have died of wounds or injuries received, or disease contracted in line of duty, during the World War; to the Committee on Military Affairs.

By Mr. YOUNGDAHL:

H. R. 8021. A bill to amend title 18, section 563, of the Code of Laws of the United States so as to provide compensation to attorneys assigned to defend a person indicted for capital crime; to the Committee on the Judiciary.

By Mr. KING:

H. R. 8022. A bill to amend certain provisions of law relative to the production of wines, brandy, and fruit spirits so as to remove therefrom certain unnecessary restrictions; to the Committee on Ways and Means.

By Mr. YOUNGDAHL:

H. R. 8023. A bill to amend section 2, chapter 368, Forty-sixth Statutes at Large, page 1467, March 2, 1931, relating to extra compensation of inspectors and employees of the Immigration and Naturalization Service; to the Committee on Immigration and Naturalization.

By Mr. ROGERS of Oklahoma:

H. R. 8024 (by request). A bill to provide for the leasing of restricted allotments of deceased Indians in certain circumstances, and for other purposes; to the Committee on Indian Affairs.

By Mr. ROBSON of Kentucky:

H. R. 8025. A bill to prohibit the transfer of employee contributions under the Railroad Unemployment Insurance Act, and for other purposes; to the Committee on Ways and Means.

By Mr. VINSON of Georgia:

H. R. 8026. A bill to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes; to the Committee on Naval Affairs.

By Mr. CANNON of Missouri:

H. J. Res. 434. Joint resolution making not to exceed \$11,000,000 of the appropriation for parity payments in the Department of Agriculture Appropriation Act, 1940, available for parity payments under the Price Adjustment Act of 1938; to the Committee on Appropriations.

By Mr. THILL:

H. J. Res. 435. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER:

H. R. 8027. A bill for the relief of George Holtegard; to the Committee on Claims.

By Mr. BOREN:

H. R. 8028. A bill for the relief of Zoe Hopt Wagner and Io F. Hoyt; to the Committee on Claims.

By Mr. BROWN of Georgia:

H. R. 8029. A bill for the relief of J. B. Lee, Katharine Weeks, and Wiley L. Hutto and Lee R. Burden; to the Committee on Claims.

By Mr. CASE of South Dakota:

H. R. 8030. A bill granting pensions to certain former members of the organization known as the Spring Creek Company of South Dakota Volunteers; to the Committee on Invalid Pensions.

By Mr. CLASON:

H. R. 8031. A bill for the relief of Evan T. Elia; to the Committee on Immigration and Naturalization.

By Mr. COLMER:

H. R. 8032. A bill for the relief of Ethel G. Hamilton; to the Committee on Claims.

By Mr. DEMPSEY:

H. R. 8033. A bill for the relief of John T. McCabe; to the Committee on Military Affairs.

By Mr. ENGLEBRIGHT:

H. R. 8034. A bill for the relief of Ernest P. Leavitt; to the Committee on Claims.

By Mr. HEALEY:

H. R. 8035. A bill for the relief of Johannah Corning; to the Committee on World War Veterans' Legislation.

By Mr. KRAMER:

H. R. 8036. A bill for the relief of Carl D. Holcum; to the Committee on Naval Affairs.

H. R. 8037. A bill granting an increase of pension to Nathan Long; to the Committee on Pensions.

By Mr. LANDIS:

H. R. 8038. A bill granting an increase of pension to Florence C. Woods; to the Committee on Pensions.

By Mr. MYERS:

H. R. 8039. A bill for the relief of Markos Vounas; to the Committee on Immigration and Naturalization.

By Mrs. NORTON:

H. R. 8040. A bill granting the Distinguished Service Cross to Louis Manzano; to the Committee on Military Affairs.

By Mr. SATTERFIELD:

H. R. 8041. A bill for the relief of Dora Marshall; to the Committee on Claims.

By Mr. WHELCHER:

H. R. 8042. A bill for the relief of Joseph Gerdean Thomas; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6188. By Mr. HOPE: Petition of C. M. Smith and 37 other citizens of Stafford County, Kans., urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6189. Also, petition of Joe E. Black and 12 other citizens of Hutchinson, Kans., urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6190. By Mr. LEAVY: Resolution of the Seattle Newspaper Guild, Local No. 82, of the American Newspaper Guild, at the membership meeting on January 9, 1940, demanding that appropriations for construction of Grand Coulee Dam and kindred projects be continued in addition to the national defense program, pointing out that our many social projects and the development of our national resources to meet national needs must be carried on without interruption; to the Committee on Appropriations.

6191. By Mr. McLAUGHLIN: Petition memorializing the Congress and the President of the United States and Public Works Administration and the Works Progress Administration to approve and make an allocation of funds for a grant and loan to the Panhandle pump irrigation district; to the Committee on Appropriations.

6192. Also, petition requesting the Secretary of Agriculture of the United States of America to institute the stamp plan for distribution of surplus food commodities in the State of Nebraska as a unit; to the Committee on Ways and Means.

6193. By Mr. VOORHIS of California: Petition of Roy W. Howard, of Arcadia, Calif., and 1,131 others, endorsing House bill 4931, providing for Government ownership of the stock

of the Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6194. By the SPEAKER: Petition of Ester Krops and sundry other individuals, petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

SENATE

FRIDAY, JANUARY 19, 1940

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

O Holy Father, who hast led Thy children in all the ages with the Fire and Cloud: Preserve us from all faithless fears, and grant that no clouds of our mortality may hide from us the light of that love which is immortal. Thou hast said in Thy Holy Word, "As one whom his mother comforteth, so will I comfort you"; and now we commit to the gracious keeping of Thy never-failing care and love for this life and the life to come all who are near and dear unto us, knowing that Thou wilt do for them and for those who keep love's holy vigil more than we can pray for. Companion with us, blessed Lord, through life's uncertain days, that when the evening comes and all our strivings cease we may know the sweetness and the calm wherewith Thou givest Thy beloved sleep till the waking of the dawn.

"One sweetly solemn thought
Comes to me o'er and o'er;
I am nearer home today
Than I ever have been before.

"Nearer my Father's house,
Where the many mansions be;
Nearer the great white throne,
Nearer the crystal sea.

"Nearer the bounds of life,
Where we lay our burdens down;
Nearer leaving the cross;
Nearer gaining the crown.

"But lying darkly between,
Winding adown through the night,
Is the silent, unknown stream
That leads at last to the light.

"Father, be near when my feet
Are slipping o'er the brink,
For it may be I am nearer home,
Nearer now than I think."

In the dear Saviour's name we ask it. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 18, 1940, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 7922. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1941, and for other purposes; and

H. J. Res. 419. Joint resolution to extend for 3 additional months the time during which articles imported free of duty for exhibition at the Golden Gate International Exposition or the New York World's Fair may be sold or abandoned.

SPECIAL ATTORNEYS, ETC., DEPARTMENT OF JUSTICE

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, a report

showing the special assistants employed during the period from July 1, 1939, to January 1, 1940, under the appropriation "Compensation of special attorneys, etc., Department of Justice," which, with the accompanying report, was referred to the Committee on the Judiciary.

LAWS AND ORDINANCES OF MUNICIPAL COUNCILS, VIRGIN ISLANDS

The VICE PRESIDENT laid before the Senate three letters from the Acting Secretary of the Interior, transmitting, pursuant to law, copies of laws and ordinances enacted or adopted by the Municipal Councils of St. Croix and St. Thomas and St. John, V. I.; also transmitting a complete set of all such laws and ordinances enacted by the municipal councils above referred to, which, with the accompanying papers, were referred to the Committee on Territories and Insular Affairs.

CONTRACTS FOR SCIENTIFIC EQUIPMENT, MARITIME COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the United States Maritime Commission, transmitting, pursuant to law, a report of the contracts or subcontracts for scientific equipment used for communication and navigation executed by the Commission during the calendar year 1939, which, with the accompanying report, was referred to the Committee on Commerce.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a letter in the nature of a petition from the Council of the Boston Branch, Unitarian Fellowship for Social Justice, Boston, Mass., signed by Elbridge F. Stoneham, secretary, praying for the enactment of pending antilynching legislation, which was referred to the Committee on the Judiciary.

He also laid before the Senate the petition of Rev. Rembert Gilman Smith, D. D., of Tulsa, Okla., praying for the holding of open hearings before the committees of the Senate in connection with the consideration of nominations, especially nominations to the Supreme Court of the United States, which was ordered to lie on the table.

He also laid before the Senate a telegram in the nature of a memorial from J. D. Battle, executive secretary, National Coal Association, Washington, D. C., remonstrating against the enactment of the bill (S. 2420) relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes, which was ordered to lie on the table.

Mr. HOLT presented letters in the nature of petitions from sundry citizens of Chester, Hendricks, Colliers, Clarksburg, Williamson, Fairview, Morgantown, Salem, Weston, Hundred, Shinnston, Clendenin, Grafton, New Martinsville, and Kenova, all in the State of West Virginia, praying for the enactment of Senate bill 517, to prohibit the advertising of alcoholic beverages over the radio, which were ordered to lie on the table.

Mr. LODGE presented a resolution adopted by the City Council and mayor of Cambridge, Mass., favoring repeal of the mandatory provisions relating to 30-day furlough after 18 months' employment on the W. P. A., or amendment of the law so as to restore to employment immediately on expiration of the 30-day furlough all persons who have been re-certified and are eligible for reemployment, and also the prompt appropriation of necessary funds for relief, which was referred to the Committee on Appropriations.

REPORT OF COMMITTEE ON AGRICULTURE AND FORESTRY

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the joint resolution (S. J. Res. 194) authorizing the Secretary of Agriculture to make a study of a tract of forest land situated in Lincoln County, State of Oregon, reported it with an amendment in the nature of a substitute.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows: